SATYAGRAHA IN CHAMPARAN

BY

RAJENDRAPRASAD

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PUBLISHERS' NOTE

After his return to India from South Africa in 1914 Gandhiji tried his method of Satyagraha on what may be called a mass scale for the first time in Champaran. How he was led to take up the cause of the oppressed Champaran ryot and how as a result was compelled to civilly defy a police order for the first time on Indian soil has been graphically described by him in his *Autobiography.* About the Champaran Satyagraha he however wrote : "To give a full account of the Champaran enquiry would be to narrate the history, for the period, of the Champaran ryot, which is out of the question in these chapters. The Champaran enquiry was a bold experiment with truth and *ahimsa.* For the details the reader must turn to Sjt. Rajendraprasad's history of the Champaran Satyagraha."

The Champaran experiment forms a vital chapter in the development of the Satyagraha method in India. It is no exaggeration to say that to all students of Gandhiji's method of social and political work a knowledge of the detailed history of the experiment is indispensable. It is certainly lucky for the future students of Satyagraha that a man of the intellectual eminence of Dr. Rajendraprasad was one of the batch of the Bihar lawyers who joined Gandhiji in his campaign. It was he who wrote out a well documented history of the struggle in Hindi in 1918-19. Later it was translated in English and published under the title *Satyagraha in Champaran*

in 1928. That publication has not been available the market for a long time now and the demand f it increased specially after the demise of Gandhiji.

We were therefore pleased when Dr. Rajendr prasad permitted us to undertake its publicatio Readers will be glad to learn that in spite of his hea occupation with work of national importance a weak health Rajendrababu spared time to go ov the whole book again.

We feel sure all lovers of Gandhiji and his wa of work will welcome this history of a unique expe ment in truth and *ahimsa*.

2-9-'49

TO
OPPRESSED HUMANITY

FOREWORD

This book was written in Hindi in 1919 and published for the first time in 1922. Its English version was published in March, 1928. I wrote in the preface to the Hindi edition as follows :

"On reading this book it will be clear to the reader that a glimpse of what Mahatma Gandhi had been doing between 1920 and 1922 regarding the Satyagraha and Non-co-operation Movement had been seen in the Champaran Movement. The first big work which Mahatma Gandhi took up in India after his return from South Africa was the work in Champaran. At that time the Home Rule agitation was at its height in India. When we used to ask Mahatmaji to let Champaran also join that movement, he used to tell us that the work that was being done in Champaran was the work which will be able to establish Home Rule. At that time the country did not perhaps realize the importance of the work nor did we who were there do so. But today when we look back upon the method of work pursued there and consider the history of the National Struggle during the last three or four years, then we can see that the great movement of today is only an edition of the work in Champaran on immensely vaster scale. If we read the history of Champaran and Kaira Satyagraha, we shall see that whatever the Non-co-operation-Satyagraha Movement has done or proposes to do is to be found

in this movement. Mahatmaji has started the Nor
co-operation Movement to free India from injus
tice and tyranny under which she has been groar
ing ; even so had he considered it his duty to sav
the tenantry of Champaran from the load of injus
tice and tyranny under which it was being pressec
Just as India has taken to Satyagraha and Nor
co-operation after she had failed to get redress b
agitating in the press and on the platform and b
resolutions and questions in Legislatures, even s
had the tenantry in Champaran invited Mahatma
after it had failed in similar efforts. Just as in th
present agitation Mahatmaji has invited the cour
try to accept his programme based entirely o
Truth and *ahimsa* (Non-violence), even so had h
taught the simple and illiterate tenantry of Cham
paran the lesson of truth and non-violence, not b
speeches but by his action. Just as he has nov
filled the people of the country with a determina
tion to win freedom of the country by taking upo
themselves knowingly and intentionally sufferin
and distress, even so had he taught the tenantry c
Champaran the same lesson by showing his read
ness to suffer the hardships of jail life. Just as th
Government officials while knowing the sufferin
and distress of the tenantry and knowing the ir
justice done to it, still wanted to obstruct Maha
maji and were prepared even to send him to jai
even so have they been following a similar cours
in regard to the Non-co-operation Movemen
Before Mahatmaji set his foot in Champaran, th
tenantry of the district had at times carried c
strong agitation and had sometimes attempted nor
co-operation also. But the foundation of tha

agitation and non-co-operation was not based on *ahimsa* (non-violence). The Government and planters who pin their faith in violence and force and who have resources to use it effectively always succeeded in suppressing their agitation which was not free from violence. In the Non-co-operation Movement also wherever we have departed from the basic principle of non-violence, we have ourselves supplied the material for our own defeat. If we always keep before us the principle of non-violence and carry forward our movement with determination, there can be no doubt that just as success was achieved in Champaran and, just as the Akalis of the Punjab are setting before the country a true example of non-violent struggle and appear to be succeeding, even so shall this countrywide movement of non-co-operation succeed. Just as the Government themselves ultimately accepted all that the tenantry of Champaran had been pressing upon them, sometimes in sorrow, sometimes in anger, even so shall the Government and its officers ultimately accept whatever the country demands today."

In the preface to the English edition which was published in 1928 I wrote as follows :

"To enable the reader to further appreciate the effect of the intensive work of 1917 I may state here that within the last ten years indigo has practically ceased to be grown in Champaran, that the biggest indigo factories have either been sold or are being sold, that many of the smaller ones have disappeared and the ryot of Champaran is a bolder and more self-respecting individual than he was ten years ago."

I need hardly add that what happened in Cha paran has been repeated, as I had hoped, on a v scale in the country as a whole. Champaran beca free from planters' tyranny, India today is free fr foreign rule. The work in Champaran was comp ted in a year. The freedom movement there start by Mahatma Gandhi has taken some 30 years to be fruit. The Mahatma lived to see the fruition of labours so far as freedom from foreign rule is co cerned. He could not complete the work of reco struction in Champaran as he was called aw elsewhere by more pressing demands from the cou try at large. Even so has remained unfinished t work of reconstruction of India after the winning freedom. I pray to God that his spirit may guide t people and make them worthy of the great inhe tance of his teachings and of the great country which they belong.

New Delhi, 5-7-'49 **Rajendraprasad**

CONTENTS

SATYAGRAHA IN CHAMPARAN

1

LAND AND LIFE

Champaran is the name of an administrative district situated in the north-western corner of the Province of Bihar and Orissa in British India. To its north are the Himalayan mountains and the territory of Nepal ; on its west is the district of Gorakhpur in the United Provinces ; to its east, is the district of Muzaffarpur and to its south the district of Saran. The name of a part of the southern portion of the Himalayan range is Someshwar, and it falls in part in Champaran. That constitutes the boundary between Nepal and Champaran. It is about 1,500 feet high, but one of its spurs on which stands a fortress is 2,884 feet high.

The biggest river in this district is the Narayani which is also known as the Salagrami or the Gandak. In olden times it flowed right through the middle of the district ; but it changed its course and to-day it forms its southern boundary. It rises in the Himalayas near a place called Tribeni. Boats can go right up to Tribeni. During summer there is not much water in the river, but even then country boats can ply. During the rains the volume of water becomes very large and its current very strong. The river is notorious for alligators and crocodiles. The Puranic story of *Gajagraha* has a reference to a place on the banks of this river in the district of Saran. The river second in importance to the Gandak which deserves mention is the Chhoti or Small

Gandak. It rises from the Someshwar Hill and flows across the district. Up to a certain distance it bears the name of Haraha, then it becomes the Sikrahana and further down it becomes known as the Burhi or old Gandak. Many small rivers rising in the hills come and join it with the result that the Sikrahana which during summer has hardly a bed of 100 yards under water becomes about 2 miles in width at places during the rainy season. Apart from the smaller rivers, there is a canal made by the British Government known as the Tribeni Canal.

It has already been said that at one time the Gandak flowed through the middle of the district. The river has changed its course, but traces of its old course are still there in the shape of lakes, about 43 in number, in the whole district. Many of these are deep and remain under water throughout the year. Their water, however, is not always drinkable. It is used in indigo factories many of which have been constructed on the banks of these lakes.

Champaran has two kinds of land. To the north of the Sikrahana the soil is hard and the level of the land low. It is, therefore, fit for paddy cultivation. It cannot grow indigo. It is called *bangar* locally. To the south of the Sikrahana, the soil has a large admixture of sand in it and paddy cannot be grown on it. But it is very good for maize, wheat, etc. It is very good for indigo plantation also. It is locally known as *bheet.* The lands in the Terai or hill valley are very fertile, and although the climate of the locality is unhealthy for men, it is very good for crops. In these parts the crop most grown is paddy which may be considered the staple crop of the district. About 56 p. c. of the cultivated land

is paddy growing. There is a saying current among villagers which may be translated as follows: "Majhowa is a wonderful country where even crows do not care for rice." Majhowa is the name of the biggest *pargana* in Champaran.

The climate of Champaran is considered to be worse than that of many other districts of Bihar. In the Terai it is very bad indeed. Malarial fever rages there, and after the rainy season almost every house becomes a hospital. The climate of the southern portion also cannot be said to be good. As compared with other districts of Bihar it is cool. For this reason it is liked by Europeans. There is something in the nature of the soil, water and climate of places on the banks of the Sikrahana and the Gandak which causes goitre to the residents. In these parts the people, too, are not intelligent. One comes across many persons who are lame, decrepit and with goitres. There are many idiots also among them. They do not know how to count, cannot talk coherently, nor understand what others say, and smile and laugh idiotically. Such idiots are locally known as '*bagar*,' and in other districts of Bihar, '*bagar* of Majhowa is a well understood expression. It is said that in some places even lower animals have goitres.

There are only two towns in the district—Motihari, which is the headquarters of the district, and Bettiah which was formerly a centre of trade and is even now the seat of the Maharaja of Bettiah and the headquarters of a subdivision. The area of the district is 3,531 square miles. There are 2,841 villages in it and the population according to the census of 1911 is 19,08,385. About 2 p. c. of the

population live in towns and the rest live in villages. The population per square mile is 540. Population in southern and eastern portion of the district, which border on Saran and Muzaffarpur, is denser, while that in the north-western portion which has a bad climate is thin. It is worth mentioning that large numbers of people have emigrated from Saran and Muzaffarpur and settled in this district and their number is increasing. They come and settle here as agriculturists.

Like other districts of Bihar there is preponderance of Hindus in this district. Their number is 16,17,456, while that of Mussalmans 2,86,067 only. In and near Bettiah there is a large population of Christians. It is said that the wife of Raja Dhrub Singh of Bettiah was ill and a Christian missionary cured her. The Raja was pleased and about 1745 A. C. set apart some land for the Christian missionary there. The number of converts began to increase and they now count 2,775 souls. The peculiarity of the Christians of Bettiah is this that there is no difference in the mode of life and dress of Christians and other inhabitants of the place except that their women wear a kind of gown which Hindu women do not wear. Hindus and Mussalmans in this district live in more or less the same way as in other districts of Bihar. There is a special caste of Hindus which one does not find in other districts. They are known as Tharus. They are 34,602 in number and live mostly in the Terai area. They can bear the climate of that locality better than other people. They are simple and truthful. They shun litigation and know the art of agriculture very well. The least interference or oppression causes them to vacate their

villages and emigrate to other and safer places. They grow paddy and live quite happily.

The language of the Hindus and Mussalmans of Champaran is a dialect of Hindi known as Bhojpuri which agrees almost entirely with the language of Saran. In the dialect of the south-eastern portion of the district adjoining Muzaffarpur district there are traces of the influence of Maithili. The language of the Tharus is also Bhojpuri, but it contains some words of their original primitive language.

2

HISTORY OF CHAMPARAN

Champaran is a corrupt form of the word Champaranya. It is mentioned in the Puranas. In its jungles were the places of penance of Rishis. It is said that Tappa Duho Suho is named after Durani and Surani, the two wives of Raja Uttanapada. Dhruva was the son of this Raja and he was born in this *tapovana* and did his penance here. The *ashrama* of Valmiki Muni was also situate within this district. Janaki after her exile took shelter in this *ashrama* of Valmiki and her two sons Lava and Kusha were born there. The battle between Ramachandra and his two sons Lava and Kusha took place somewhere within this district. The story is current that the capital of Birat Raja where the Pandavas lived during their exile was also in this district, and a place called Barahi is still pointed out as that capital. It is at a short distance from Ramnagar. It is believed by the local people that the kingdom of Raja Bideha was also here and he used to live at

a place called Jankigarh which is also known as Chankigarh.

The Lichchhavis reigned in Champaran about 600 B. C. They fought against Ajatashatru of Magadha, were defeated and had to pay tribute to Magadha. Traces of forts are still extant at Nandangarh and other places and they are said by historians to belong to the time of the Lichchhavis. Coins have also been discovered in these places which are of about 1000 B. C.

Numerous memorials of the Buddhistic period are found in Champaran. Buddha is said to have travelled through this district in his journey from Plasi to Kusinar. His ashes are said to be lying in some stupa at Lauria Nandangarh or near about it. Many pillars erected by Ashoka are still seen in several parts of the district. Most of the places where such pillars stand are known as Lauriya, that is, the place of the pillar. It appears from this that at one time the Buddhists had great influence there. Raja Ashoka started on his pilgrimage from Pataliputra (Patna) and went to Ramapurwa passing Kesaria, Lauriya, Areraj and Lauriya Nandangarh, and he set up pillars in all these places. In those days Nepal also formed a part of the kingdom of Magadha, and this used to be the route for officials going from Patna to Nepal *via* Bhikhna Thorce. The Chinese travellers travelled by this route. Both Fa Hian and Huen Tsang have mentioned these places.

After the Buddhists, the Gupta kings reigned over Champaran and Raja Harshavardhana's flag also flew there. The history of the period prior to the 13th century A. C. is not available in a reliable form

but it is said that at one time the Cheddis also reigned over Champaran.

Evidence is available that later on Champaran passed under the sway of the kings of Tirhoot. The two kingdoms deserving of mention are those of Simra and Sugaon. In the 13th and 14th centuries, the Mussalmans invaded Champaran but they did not quite establish themselves there. At the beginning of the 16th century, Sikandar Lodi took possession of Tirhoot and thenceforward Tirhoot which included Champaran became a part of the Muslim Empire. No separate history of Champaran is available after this, as it thenceforward became mixed up with that of other districts. In the 18th century when Alivardikhan became Governor of Bihar and Bengal he invaded Champaran and he was helped by the Afghans of Darbhanga. His invasion was successful and he carried away a large amount of booty. Sometime later the Afghans who had helped him rebelled against him but were defeated by Alivardikhan. Two of these Afghans, Shamsherkhan and Sardarkhan, took refuge in Bettiah Raj. Alivardikhan for this reason invaded Bettiah with the result that the Raja of Bettiah handed over those Afghans with all their dependants to him.

About 1760 there was a war between Shah Alam and the English in which the latter were successful. One of the helpers of Shah Alam was Khadim Husainkhan, the Subedar of Purnea. After his defeat he fled towards Bettiah. Miran and General Claude pursued him but on account of the accidental death of Miran by a stroke of lightning General Claude had to retrace his steps. But before doing so he realized a tribute from the Raja of Bettiah. The

Raja of Bettiah shortly afterwards raised the standard of revolt and Mir Kasim invaded Bettiah and suppressed the rebellion. In 1765 Champaran was also granted to the English by Shah Alam along with Bengal and Bihar. It should not be inferred from this, however, that there was peace after this event. Shortly afterwards Raja Jugalkishor of Bettiah declared war against the English but he was defeated and fled to Bundelkhand leaving his Kingdom. After this time the condition of Champaran was very deplorable. The tribute payable to the English went on dwindling. The English thought that without the return of Raja Jugalkishor, Bettiah would not become prosperous again and that their revenue would not increase. They accordingly asked Raja Jugalkishorsingh to return and made over to him the two parganas of Majhowa and Simraon in 1771 ; and two other parganas of Mehsi and Babra were given to his kinsmen Srikrishnasingh and Awadhutsingh.

In 1791 when the Decennial Settlement was made the two parganas of Majhowa and Simraon were settled with Raja Jugalkishorsingh's son, Birkishorsingh, and the two parganas of Mehsi and Babra which had been granted to Srikrishnasingh and Awadhutsingh came to constitute the Sheohar Raj. Two other Zamindaris of Madhuban and Ramnagar also came into existence about that time. This settlement was confirmed in 1793 at the time of the Permanent Settlement. Sometime later pargana Babra was transferred to the district of Muzaffarpur and only small parts of Sheohar Raj remained in Champaran. There are several small Zamindaris now in existence but the principal Zamindaris in the district are even now only three, namely, Bettiah,

Ramnagar and Madhuban. It should not be understood, however, that these Zamindaris had their origin about this time. The Bettiah Raj is a very old Raj. It was granted for the first time by Emperor Shahajahan to Ujjainsingh and his descendants have always held it. Similarly the Ramnagar Raj is also an ancient Raj. It is said that the ancestors of the Ramnagar Raj came from Chitor and conquered Nepal and they founded Ramnagar. They got the title of Raja from Emperor Aurangzib in 1676 A. D.

3

EUROPEANS & INDIGO CULTIVATION

The area of the Bettiah Raj is about 2,000 sq. miles. Formerly communication was not as convenient as it is now. Therefore for better management the estate was divided into small parts and leased out to lessees. The lessees had to look after the parts leased out to them, to realize rent from the cultivators and to pay the same to the Estate. In the earlier days all lessees were Indians and they had been there from before 1793. Later on Europeans who engaged in indigo and sugarcane cultivation began to take leases from the Bettiah and Ramnagar Estates. The oldest indigo factory was that established by Col. Hickey at Bara. Later on Turkaulia, Peepra, Motihari and Rajpur factories were established. As time went on, new factories were established and they went on replacing the Indian lessees in the Bettiah Raj. In the early times these factories were established only in places where the soil was fit for indigo and sugarcane cultivation. But when they had

established their influence fully, some Europeans began to settle in the north-western portion of the district also in about 1875. The soil being unfit for indigo cultivation, they had to find out other means of income. In this way the whole of the district became honey-combed with European factories and now-a-days there are about 70 such factories, a detailed account of which will be found in later pages. For building their factories they took small plots of land from the Bettiah Raj on perpetual lease. The Bettiah Raj had become encumbered with debt in about 1888. Mr. T. Gibbon, its manager, raised a loan of about 85 lakhs in England to liquidate that debt. It was arranged that the Bettiah Raj should settle a portion of its Estate with European factory owners in perpetuity, and these latter would pay the reserved rent towards the liquidation of the debt. Accordingly lands fetching five lakhs and a half per year were settled in perpetual or *mokarri* lease with fourteen factories. The result was that this permanent interest in the land strengthened their position very much. Besides this they also went on taking temporary leases from the Raj. Some villages were settled in perpetuity with factories by the Ramnagar Raj also; but it is difficult to find when and under what circumstances this took place. Within recent times some factories have also purchased Zamindari rights in some villages, but that is to a very small extent only. At present there are 36 European lessees under the Bettiah Raj of whom 23 deal in indigo. More than one half of the district is in the possession of European lessees.

In the beginning the planters used to cultivate sugarcane along with indigo. But from about 1850

they diminished sugar-cane plantation on account of the larger profit derived from indigo. Ever since then the planters have carried on indigo cultivation under two systems: — (a) *Zerait* — i.e., departmental cultivation under their direct supervision. (b) *Asamiwar* — i.e., cultivation through cultivators or tenants.

Zerait. — The factory owners under this system used to cultivate the land in their possession with the help of their own ploughs and bullocks. This land used to be either the proprietors' (their lessors') private land or land in which the factory owner had acquired rights of occupancy. The entire burden of cultivation used to be on the factory. The only connection that the tenants had with this cultivation was that they were liable to render service on the land or to have their bullocks and ploughs impressed for such cultivation under the orders of the factory. The factory had no doubt to pay something for this kind of service — but it will be seen later on that the wages used to be so low that the tenants could never feel satisfied. To make matters worse the factory underlings used to deduct a discount from the wages so paid. Mr. J. A. Sweeney, the Settlement Officer, stated in his evidence before the Champaran Agrarian Committee that " so far as he was aware no factory was fully self-contained then in the matter of cultivating its rural lands ".

Asamiwar. — Under this system the factory got indigo grown by the tenants. This used to be done in several ways, but the most prevalent method was that known as *Tinkathia*. *Kushki* and *Kurtauli* systems also deserve mention as other methods.

About the *kurtauli* system it was said by the Commissioner of Patna in 1885: "The *kurtauli* lease is a new institution dating from a very few years back......There is growing up in our midst and in spite of our efforts at beneficent legislation, a system under which the ryot mortgages his entire holding and the very site of his house for a period probably extending beyond his own lifetime, redemption being contingent on the repayment of a loan; the ryot, to use the common expression, is selling himself body and soul into hopeless servitude."

This system is not widely prevalent in Champaran but there is no doubt that it is very harmful to the interests of ryots.

As said above, *Tinkathia* was the most prevalent system in Champaran. According to it the factory owners got the tenant to cultivate indigo in a portion of his holding for which a fixed price was paid. About 1860 the portion so reserved for indigo used to be 5 *kathas* per *bigha* or one fourth of the tenant's holding. Sometime later, about 1867, this area was reduced from 5 *kathas* to 3 *kathas* per *bigha*. Since then the system came to be known as *tinkathia* (or the system of three *kathas*). When the factories were being established for the first time, their owners had no permanent interest in land. They used to take short term leases from the Bettiah Raj and to grow indigo on lands in their possession under the *Zerait* system. But that was in small quantities. They would place temptation in the way of the Bettiah Raj by offering to take a lease on a reserved rent equal to the gross rental realizable from tenants,

and when they got the lease, they would get indigo cultivated by the tenants for their own benefit. They used to make much profit from indigo. The only losers were the tenants. It is thus apparent that whenever a factory got possession of a village, its first attempt would be to bring as much land as possible under indigo cultivation; and for this they used to cheat, cajole and coerce the simple tenants into agreeing to grow indigo on their lands. After sometime these agreements used to be reduced to writing as *sattas*. One of the conditions in such agreements or *sattas* used to be that the tenant would grow indigo on 3 *kathas* per *bigha* of his holding for a number of years — sometimes for 20, 25, or even 30 years. The particular plot of his holding which would be reserved for indigo would be selected by the factory. The land would be ploughed and otherwise made fit for cultivation by the tenant under the supervision of the factory. If the crop was good a fixed price per *bigha* would be paid to the tenant. But if the crop was not bumper, then whatever the reason for it may be, the tenant would get only a reduced price. If the tenant failed to grow indigo, he was liable to pay a heavy sum by way of damages for his breach.

There is evidence to show that both the *Zerait* and *Asamiwar* systems of cultivation have been in vogue ever since indigo cultivation was introduced into Champaran. It has already been stated that originally the indigo used to be grown by tenants on 5 *kathas* out of each *bigha* of the holding, and this was reduced in 1867 to 3 *kathas* per *bigha*. In 1909 the Planters' Association passed a resolution that this area should be further reduced from 3 to 2

kathas per *bigha* but it is not known if this resolution was given effect to by the factories. It is certain, however, that many factories did not observe it and many did not require to do it. The reason for this will be stated hereafter. Similarly the price payable by the factories to the tenants was also raised from time to time under pressure from the Government and the tenants. Before 1867 the tenant used to be paid Rs. 6-8-0 for every acre of indigo. After the disturbances of that year the planters under Government pressure increased the rate to Rs. 9 per acre. This was further raised in 1876 to Rs. 10-5-0, in 1897 to Rs. 12-7-0 and in 1909 after Mr. Gourlay's Report to Rs. 13-8-0 per acre. Apart from this there has been an idea ever since 1878 that no rent should be payable by the tenant for the area under indigo; but this rule has not been followed by the factories.

The cultivation of indigo was more extensive in Champaran than in any other district of Bihar. During the survey of 1892-97 indigo used to be grown on 95,970 acres, that is, on 6.63 per cent of the land under cultivation. Out of this about one fourth was cultivated under the *Zerait* system and the remaining three-fourths was cultivated under the *Asamiwar*, that is, the *tinkathia* system. In those days 33,000 labourers used to work in indigo factories. Later on by reason of the introduction of German synthetic dyes, profits fell and the planters reduced the cultivation of indigo, so much so, that in 1905 the area under indigo cultivation fell to 47,800 acres and in 1914 to 8,100 acres. In 1914 war was declared between Germany and England and the import of German dyes ceased. Indigo began to look up once again, and the planters increased its cultivation. In

1916 indigo was grown on 21,900 acres and in 1917 on 26,848 acres, out of which about two thirds were grown *asamiwar* and only one-third under the *zerait* system. The planters, however, did not lose much on account of the fall in the price of indigo, as they devised means, to be detailed later, to transfer the loss to the shoulders of the poor tenants.

There are two kinds of indigo — Sumatra indigo and Java or Natal indigo. Before 1905 only Sumatra indigo used to be grown. For this crop the land is tilled from *Aswin* to *Phalgun* (September to March) and the seed is sown in March. The crop is cut in *Asarh* (June to July), and this is known as the *Morhan* crop. The stump that is left in the field is cut once again in *Bhadon* (August to September) and this is known as *khunti*. The Java or Natal indigo is sown in *Kartik* to *Aghan* (October to November) and is cut at the same time as the Sumatra crop. From 100 maunds of leaves and stalk about 10 seers of indigo cakes are prepared.

4

GRIEVANCES OF TENANTS

The *tinkathia* system has been mentioned in the last chapter. It is no exaggeration to say that this was at the root of all the troubles and miseries of the tenants of Champaran.

In 1860 there was a great agitation in Bengal against indigo. In those days Babu Harishchandra Mukerjee was of great help to the tenants and the British Indian Association also sympathized with them. The miseries of the tenants melted the hearts of the Christian Missionaries. There were many

among British officials, too, who sympathized wit the tenants. Of those Mr. William Herschell, wh later on became Sir William Herschell, and M Ashley Eden, who became the Lieutenant-Governo of Bengal as Sir Ashley Eden, were the most note At their suggestion and on pressure from them th Government appointed a Commission with fu powers to inquire into the grievances of the indig tenants. Mr. Seton Kerr who was the secretary t the Government of Bengal was the president of th Commission and its members were Mr. Richard Tem ple, who later became the Lieutenant-Governor o Bengal as Sir Richard Temple, Mr. Fergusson, planter, Mr. John Sale, a missionary, and Bab Chandramohan Chatterjee who was an influentia member of the British Indian Association. Tenant from the districts of Nadia and Jessore, where th indigo trouble was most acute, were brought unde arrangements made by Harishchandra Mukerjee t Calcutta to give evidence before the Commissio Harishchandra Mukerjee himself gave evidence. La bihari Day in his *Bengal Peasant Life* has drawn beautiful but heart-rending picture of the planter an the ryot of Bengal of those days. Mr. E. W. L. Towe who was at one time the Magistrate of Faridpu stated in his evidence before the Commission as fo lows:

> "There is one thing more. I wish to state that co siderable odium has been thrown on the Missionaries fo saying that 'Not a chest of indigo reached Englan without being stained with human blood.' That has bee stated to be an anecdote. That expression is mine, an I adopt it in the fullest and broadest sense of its meanin as the result of my experience as Magistrate in the Fari pur District. I have seen several ryots, sent in to me a

a Magistrate, who have been speared through the body. I have had ryots before me who have been shot down by Mr. Forde (a planter). I have put on record, how others have been first speared and then kidnapped; and such a system of carrying on indigo, I consider to be a system of blood-shed."

It appears from the Report of the Commission that the grievances of the tenants of Bengal were as follows :—

(1) The contract which the tenants were made to enter into with the planter regarding indigo was not voluntarily accepted by them but they were coerced.

(2) Some advance of money used to be forced upon them for growing indigo.

(3) They had to give their valuable time to the cultivation of indigo while it could have been more profitably employed in growing other crops.

(4) Their best lands were taken up for indigo growing. Sometimes even land on which another crop was growing used to be taken up for growing indigo and the standing crop destroyed.

(5) There was no certainty about the indigo crop with the result that the tenants very often could not repay even the advance which became a heavy burden on them.

(6) The underlings of factories used to oppress them.

(7) The factory owners and managers also used to employ force and beat them.

In the opinion of the Commission almost all the complaints were well-founded. They held that the tenants were not at all benefitted by the indigo cultivation. The planters reserved the right of selecting the lands for indigo and sometimes they caused land in which other crops were growing to be ploughed up for indigo. The factory *amlas* (employees) used to oppress them in various ways. A tenant who had once taken an advance could never extricate himself. The Commission recommended that if the tenants were to be made to grow indigo they should

be paid at a rate which would satisfy them, and tha if the system of contracts for indigo was to be con tinued, they should be for short terms and thei accounts should be settled every year ; the land o which indigo was to be grown should be mentione in the contract itself. The planter should carry th indigo plant from the field to the factory at his ow expense. The tenants should not be required to pa the price of the indigo seed. The tenants should b given the right to grow any other crop on the indig land after the indigo crop was cut or that if the wanted to reserve the crop for seeds, they should b permitted to do so. Separate accounts should b kept for indigo and the rents payable by them. The also recommended that arrangements should b made for the protection of tenants. Sir John Pete Grant, the then Lt.-Governor of Bengal, accepte the recommendations almost in their entirety. Th result of the action taken on this Report was tha within a short time indigo cultivation disappeare altogether from Bengal. The reason of this was tha without the oppressive system then in vogue, th planter could not make any profit out of indig plantation.

About the same time the question of Biha indigo planters was also raised but there was n Harishchandra Mukerjee in Bihar to take up th tenants' grievances, nor was there any one amon the tenants who kept himself informed about th Calcutta Commission. It is true that some Biha planters also gave evidence before the Commissio from which it appears that the same system was i vogue in Bihar also. There was a difference only i one respect. The system of advances was not s

oppressive to tenants in Bihar as it was in Bengal; but the other grievances were practically the same.

Although the tenants of Champaran have ever since been clamouring for redress of their grievances no effort was made to remove the root causes of their troubles until 1917, so much so that when Mahatma Gandhi arrived in Champaran in 1917 to enquire into the grievances of tenants, the planters began to say that they had no trouble with the tenants, and that all the trouble was created by outsiders. But this was later proved to be absolutely unfounded before the Commission. The Hon. Mr. Maude, in his speech on the Champaran Agrarian Bill before the Bihar Legislative Council, said as follows:

> "I have gone at what I am afraid is rather wearisome length into the past history of what may perhaps best be described as the indigo difficulty, because it is constantly asserted, and I have often heard it said, that there is in reality nothing wrong or rotten in the state of affairs, that every one concerned is perfectly happy so long as they are left alone and that it is only when outside influences and agitators come in that any trouble is experienced. I submit that this contention is altogether untenable in the light of the history of past fifty years of which I have endeavoured to present to the Council a brief sketch."

It is this tale of woe that is given in brief in the following pages.

The first indigo disturbance in Champaran of which any record is available was in 1867. It began in Lalsaraiya * factory. The tenants of Mouza Jaukathia

* It is said of this factory as follows in the Champaran *Gazetteer*:

"At one time it was the most renowned indigo factory in Bihar, being the home of M. James Macleod, who was known as the king of planters. His stable contained 120 horses.

refused to grow indigo and sowed other crops on indigo lands. The residents of other villages followed suit. The factory bungalow caught fire and was burnt. The planters even in those days tried to fasten the responsibility of this fire on the tenants as they did later on in connection with another fire in 1917, but no evidence of this was available. The complaints of the tenants were the same in 1917 as they were in 1867. The Commissioner of Patna in his report regarding this disturbance wrote to the Government that it was not only that indigo cultivation brought no profit to the tenants but that it caused actual monetary loss to them ; they were made to give contracts for indigo ; their best lands were taken for indigo ; indigo cultivation was a very difficult job ; factory underlings used to oppress them. This disturbance caused a great consternation amongst the planters. Indigo cultivation was stopped in a way and it seemed as if it would disappear altogether from Champaran. The planters pressed their case before the Government and the latter also helped them. As desired by the planters a Small Cause Court of two judges was established by the Government at Motihari to speedily dispose of cases instituted by planters for recovery of damages from the tenants for breach of their indigo contracts. The result was that what the planters wanted was achieved without their having to institute suits, and the efforts of the helpless tenants to get rid of the indigo oppression failed. There is no wonder that it was so, as the agriculturists as a class are timid and particularly those of a place like Champaran are very simple. The mere fact of the establishment of a Court at the instance of the planters was enough t

cow them. Who can say that the tenants did not regard this action of the Government as one to help and uphold the planters? Again, what chance was there for them to succeed in this unequal fight? The few cases which did actually go to the Court were decided against the tenants. There is no doubt that even if it be assumed that the Government was not actuated by any desire to help the planters, the tenants believed this step to be for that purpose. It may be stated here that whatever sympathy the Government may have had with the tenants, it has always been exhibited in such a way that every attempt of the tenants to free themselves from indigo has been met by the Government with some action which went to help the planters. We shall see later on how special registrars were appointed and that will make the point clear. The Champaran *Gazetteer* says about this disturbance of 1867 as follows:

> "The disputes between the ryots and the planters had at one time threatened to become very serious. The local officers almost unanimously reported that the cultivation of indigo had become very unpopular, and that there was not a ryot who would not abandon the cultivation if he could, and this state of things was ascribed as much to the insufficiency of remuneration which the ryots received as to the exactions, oppressions and annoyance to which they were exposed at the hands of the factory servants."

The Provincial Government wrote to the Government of India as follows about it:

> "The time had passed when it could be hoped to carry on indigo concern profitably by forcing on the ryots a cultivation and labour which was to them unprofitable. The necessity of giving adequate remuneration had been recognized by the planters although they had too long refused to recognize the necessity of making such an advance in

price but managers of the concerns now saw clearly the danger which they had so narrowly escaped and would in their own interest be careful to guard against falling into such an error again."

The planters under pressure from Government and finding that without increasing the price of indigo it would be impossible for them to continue in Champaran, raised it from Rs. 6/8/- to Rs. 9/- per acre. The Local Government consequently did not find it necessary to take any further action. But the Government of India, reviewing the matter, made a most significant statement:

"The evils of the system were so great that the interposition of the Government might become unavoidable unless measures were taken to remove such elements of the system as were unjust and oppressive."

What the Government of India had anticipated came soon to be true and shortly after this rise in price signs of discontent among tenants began to manifest themselves in 1871. The price of indigo had no doubt been increased but no steps had been taken to remove the defects of the oppressive system. In 1871 the Lieut.-Governor, in reviewing the report of the Commissioner of Patna, wrote as follows:

"The practice under which the ryots were compelled to give up a portion of their land for indigo is the compulsory feature of the system to which His Honour has more specially alluded as contrary to free trade principles. Again the practice of forcing the cultivators to exchange such of their lands as may be arbitrarily selected from time to time by the planter or his servant is an intolerable grievance as is well set forth by Mr. Forbes even where there is what purports to be an agreement. In these cases it is obvious that the character of the agreement is such that no person of power and influence equal to that of the planter himself would think, as mere matter of business, of entering into it."

The Press continued to comment on this subject in those days and the attention of the Government was also drawn to it from time to time. In 1875 the Commissioner of Patna proposed that a commission be appointed to inquire into indigo grievances. Sir Richard Temple was then the Lieut.-Governor. He thought that the appointment of a Commission would lead to agitation and he accordingly gave direction to district officers to decide disputes between planters and tenants in an impartial manner.

When the root cause of discontent had been left untouched, it was not to be expected that peace could be restored. In 1877 Mr. Stuart Bayley, the Commissioner of Patna, wrote that although the appointment of a Commission had been considered inopportune, "the fact remained that there was much discontent manifest enough to local officers".

About this time on the retirement of Sir Richard Temple, Sir Ashley Eden * became the Lieutenant-

* He had stated in his evidence before the Bengal Indigo Commission as follows:

"My opinion is that in no instance within the last six years at least have ryots entered into any large contracts for cultivation of the crop and that with the exception of factories which have large extent of *chur* lands cultivated, the indigo cultivation is in no instance the result of free agency but that it is compulsory."

Explaining the grounds on which his opinion was formed he stated:

"First, I believe it to be unprofitable and therefore I cannot believe that any ryot would consent to take up that cultivation involving as it does serious pecuniary loss to himself. Secondly, it involves an amount of harassing interference to which no free agent would subject himself. Thirdly, from the consideration of the act of violence to which the planters have been compelled to resort to keep up the cultivation as proved

Governor of Bengal. As has already been stated above, Sir Ashley Eden had been Magistrate at the time of indigo disturbances in Bengal and was fully acquainted with the activities of planters. He thought that instead of taking action openly which might cause agitation among planters, it would be better to get them to agree to some reforms. He accordingly impressed upon them that the practice of indigo cultivation under the *asamiwar* system was harmful to the interests of tenants, and that they should therefore raise the price of indigo, and that good feelings between the tenants and planters would be restored only if the latter got indigo cultivated on purely business principles. He emphasized the fact that it was not proper for the planters to take forced labour from their tenants.

The planters finding this stiff attitude of the Lieut.-Governor which might be the cause of future trouble, established the Bihar Planters' Association which is still in existence. In its very first sittings, the Association decided to enhance the price of indigo from Rs. 9/- to Rs. 10/5/- per acre. It was also resolved that no rent should be charged

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by the criminal record of Bengal. Fourthly, from the admission of the planters themselves that if the ryots were free agents they would not cultivate indigo. Fifthly, the necessity under which the planters state themselves to be of spending large sums in the purchase of Zamindaries and rights of other description giving them territorial influence and powers of compulsion without which they would be unable to procure the cultivation of indigo. Sixthly, the statement of ryots and the people generally in the districts in which I have been. Seventhly, as soon as the ryots became aware of the fact that they were by law practically free agents they at once refused to continue cultivation."

from the tenants for the land on which indigo was grown. But it must be said with regard to this last resolution that many did not care to observe it. With regard to other complaints of the tenants the Association passed several resolutions which require to be stated as showing what grievances the tenants then had and that in spite of these resolutions they remained unredressed and were stated before Mr. Gourlay in 1909 and were found to exist in 1917 at the time of Mahatma Gandhi's inquiry. Among the rules then adopted, some of the most important were that the price of indigo should be at the rate of Rs. 9/- per *bigha* measured with a pole of 6½ cubits, that even in the absense of a stipulation to the contrary, the planters could not without the consent of the tenant exchange the indigo land, and that even if the indigo land was changed, the land of one tenant should not be exchanged with that of another, and that if any complaint was made against any member of the Association, the Association should be entitled to inquire thereinto and if that member did not obey its orders, he would be liable to be removed from the Association. After some correspondence with the Government they also made a rule that if a tenant grew indigo on 3 *kathas* for every *bigha* of his holding his rent would not be liable to be enhanced.

When these rules were formed, the Local Government thought the discontent would disappear and it took no further steps. But it was the opinion of Sir Ashley Eden that one of the reasons of the tenants' discontent was that Zamindars used to lease out their villages to planters who thereby gained great power over the tenants and got an opportunity

to oppress them. But nothing however was done to remedy this ; on the other hand, as has already been shown above, the planters managed to make their hold stronger on the Bettiah Raj. On account of the Bettiah Raj being encumbered, a loan of 85 lakhs was raised in England in 1888, and for its repayment a large number of villages was given in perpetual leases to planters. Such leases were granted to 14 factories of which the most important were three, viz., Turkaulia, Peepra and Motihari. Besides, temporary leases continued to be given to the factories. Consequently, although to all outward appearances there was peace, discontent among tenants was smouldering. In 1887 there was a great famine in Bihar and the people in Champaran suffered very much. The planters at that time raised the price of indigo further from Rs. 10/5 to Rs. 12/- per acre. But even this did not satisfy the tenants and their discontents found expression from time to time. In 1906 the tenants of Telhara factory murdered its manager, Mr. Bloomfield. Many of them were prosecuted and the Sessions Judge sentenced three of them to death, but on appeal the sentences of death were set aside and they were given six years' imprisonment.

5

1907 - 1909

There is a limit to forbearance. Even an ant, if you tread upon it, opens its small mouth to bite you in revenge. It has been shown in the previous pages that the tenantry of Champaran thoroughly disliked indigo cultivation. They were daily praying for relief against it. Things went on somehow up to 1907. With the beginning of 1907 signs of discontent began to manifest themselves in the Bettiah subdivision. Some tenants of Sathi factory expressed their unwillingness to grow indigo on the ground that it was unprofitable. On account of heavy flood in 1906 they had lost their paddy crop and they were in pecuniary difficulties. The planters on the other hand were insisting on having indigo grown. These were the causes of the discontent. In March 1907 some tenants had submitted a petition to the Magistrate at Motihari in which they stated among other things —

> "That for six or seven years, the Sathi Factory is oppressing your petitioners in many ways and is exacting from them higher rent and *begar* (forced labour) and forcing your petitioners to cultivate indigo against your petitioners' wishes without adequately paying for them and bringing false criminal cases against your petitioners and other tenants to execute indigo *sattas*."

When Mr. F. C. Coffin, the manager of the Sathi factory, saw that it was not possible to have indigo cultivation according to old methods, he sought the help of Government officials. Whatever the reasons

may have been, some of the tenants were made special constables by the Magistrate so that there might be no breach of the peace. But this did not prevent it. There were several criminal cases in connection with indigo cultivation. In July 1907, there was a criminal case in the villages of the Sathi factory in which one Sundaraman Rai, *a gumasta* (agent) of the factory, charged Foujdar Dube and others with having prevented one Kalicharan Teli from serving in the factory and that they had assaulted factory servants who had gone to fetch him. The defence of the accused persons was that this case had been got up only to coerce them into submission. Mr. E. L. Tanner was the Magistrate of Bettiah at the time and he convicted the accused persons.

On the seventh of August 1907, the tenants of the factory submitted a petition to the Collector of Champaran in which they fully set out their grievances. In it they stated:

> "That instead of growing indigo at three *kathas* per *bigha*, the factory introduced a new system. In half the area the factory had compelled your petitioners to grow indigo and in the other half *jai* (oats) and that it allows only Rs. 15/- per *bigha* for *jai* although according to out-turn deducting expenses of cultivation, it comes up to almost Rs. 45/- per *bigha*.
>
> "That if the total area of indigo and *jai* cultivated by your petitioners does not come to three *kathas* per *bigha*, the factory for balance area realizes paddy at the rate of 25 maunds per *bigha* and if it is not paid in time, its price is realized at the market-rate at the time of realization, and that the factory does not pay any compensation for paddy or its price thus realized....That bullock carts, ploughs and labourers of your petitioners and petitioners themselves are forced to work at ¼ of the ordinary wages and sometimes for nothing."

They finally prayed for inquiry. Mr. T. S. Macpherson, the Magistrate, directed Mr. Tanner to hold the inquiry and in his order said :

> "The matters raised are of great importance to the peace of the villages concerned and a sifting inquiry as to the existence of the causes of complaint specified is essential. It should be as wide and unrestricted as possible. I can see that certain persons are ring-leaders, but it does not at all follow that the agitation which is so widespread, is without foundation."

It appears that Mr. Tanner's inquiry did not satisfy the tenants, as Shaikh Gulab, who was considered to be the leader of the tenants, along with other tenants submitted a memorial to the Lieut.-Governor in which he said about this inquiry :

> "That the Sub-Divisional Officer of Bettiah went only to three Mouzas and made inquries of some of your memorialists and then went away leaving the enquiry incomplete."

About the beginning of November, the Sub-Inspector of Police of Lauriya Thana submitted a report to the Magistrate of Bettiah that some tenants were dissuading others from growing indigo and paying rent and that they should be bound down under section 107 of the Code of Criminal Procedure. The Magistrate took securities from several tenants for keeping the peace. The poor tenants felt very much oppressed by these proceedings. Many of them even went to jail, many had to furnish security for good behaviour and many were made special constables. A memorial that was submitted to the Lieut.-Governor evoked no satisfactory response. But in spite of all this the tenants did not agree to grow indigo ; and ultimately the Sathi factory had to give up indigo cultivation. Thus a heavy load was taken off the shoulders of the tenants.

But it was not to be expected that the factory would take things lying down. It found out another means of realizing money from the tenants, so that the loss of indigo was made up in another way.

In 1880 the Sathi factory had excavated a canal for irrigating its indigo land. It had given an agreement to the Bettiah Raj whereby it had bound itself to maintain this canal and to permit tenants to irrigate their lands by its means without any charge.

So long as the tenants had cultivated indigo they had been permitted to irrigate their lands without any charge. When in 1908 the factory stopped cultivating indigo, it started realizing Rs. 3/- per *bigha* from the tenants for supplying water. This tax was named *pain kharcha* (canal tax). The tenants never freely consented to pay this tax ; but the factory got them to execute agreements for it. It is alleged that those tenants who refused to execute agreements were forced to do so. A special Registrar was deputed by the Government to register these agreements. The tenants knew what it meant to raise their heads against the factory ; they consequently executed them even against their will. The factory promised in these agreements to supply enough water for irrigation, but this promise remained a promise on paper only. Even tenants, whose fields could never be reached by the water of this canal and who were never benefited thereby, had also to pay this tax of Rs. 3/- per *bigha*. At the time of the survey of 1913-15 the tenants of the Sathi factory refused to pay this water tax. The Survey Officers made inquiries and found that this yearly irrigation tax had been realized even from those tenants who had never derived any benefit from the canal. After a sifting

inquiry the truth came out and these agreements were cancelled and this tax came to be regarded as an illegal exaction and was stopped. The tenants gratefully accepted this decision and now if the tenant wants to take water from the canal, he gets it after paying for it.

It used to be the practice in the Sathi and some other factories of the Bettiah sub-division to get indigo grown without any written agreement. In 1907-08 the tenants of Sathi factory stopped growing indigo. This news spread to the neighbouring villages also. They also began to stop indigo cultivation. One Shaik Gulab had taken a prominent part in stopping indigo cultivation in the Sathi villages. His example put new life into other villagers. Shaikh Gulab had to suffer imprisonment and much pecuniary loss for his activities but he rose very much in the estimation of the villagers. They began to look up to him as their true friend and leader. There was another factory named Parsa factory at a short distance from the Sathi factory. Signs of discontent among the tenants of this factory became visible in September 1908. A big fair is held at Bettiah at the time of *Bijaya Dashami.* People from distant villages visit this fair. The tenants converted this fair into an instrument to propagate their ideas. Shaikh Gulab and one Sitalrai, who was an inhabitant of a village near Parsa began to persuade the tenants not to grow indigo. Some people went so far as to devise means for driving out the planters. On returning home from the fair the tenants began to talk among themselves about these matters and their ideas began to grow. Sitalrai devoted himself heart and soul to the uprooting of the system of indigo

cultivation. He used to collect the tenants at night and to preach to them not to grow indigo. The tenants were made to take oath in these meetings. This agitation was, however, confined to the tenants of the factories of Mallahia, Parsa, Baeriya, and Kundia. It is said that the tenants had so organized themselves that on hearing a particular singular sound, the tenants of several villages would assemble in no time at a particular place. On the 16th October, 1908, the tenants commenced the disturbance openly and a certain peon of the Parsa factory was assaulted. It is alleged that they also attacked the manager of the factory. News of the disturbance was immediately sent to the Government. The Government sent military police to check it. On the 26th October Sitalrai and a wealthy Marwadi, Radhumal, were arrested. People say even now that in those days the military police and the Gurkhas oppressed them very much, and particularly the tenants have not yet forgotten the name of Inspector Knight, nor can they forget those black days. Most of the newspapers commented on those incidents at the time. The *Statesman* of Calcutta deputed a special correspondent who wrote on the 27th November as follows :

> "A remarkable state of affairs exists at the present moment at Bettiah in the Champaran district in Bihar. Disputes between the planters and the ryots have led to acts of hostility, and in order to protect the European population large forces of Bengal armed police and Gurkhas have been drafted into the town and its neighbourhood. Fifty rounds of ball ammunition have been served out to each member of the Bihar Light House and in parts the division has assumed a perfectly warlike appearance. Seven cases have been reported to the police in which Europeans were attacked. Other stories are current in the

neighbourhood of equestrians being ambushed, of frantic rides along jungle paths through crowds of ruffians armed with *lathis* and of inoffensive folk being molested on the high way. Police Inspector Knight was badly mauled by a *badmash* with a lathi. Mr. Maxwell Smith, a planter, was chased by a mob and a *tum-tum* belonging to Mr. Moore, Factory Manager, was burnt at Muzaffarpur.

"On Wednesday last nineteen persons were convicted here under section 143 I.P.C. for being members of an unlawful assembly and sentenced, besides graduated fines in each case, to the full term of six months' solitary confinement. There are now no less than 200 prisoners awaiting their trial at Motihari under various charges, chiefly for assaulting Europeans, for arson and under section 505 for inciting class against class. The principal accused in this group is Sitalrai who holds *ryoti* lands under Mr. S. E. Coffin of the Sathi factory in Bettiah Sub-division. Radhumal, a Marwadi banker, and Ramswarath his *gumasta* were arrested recently."

On the 18th November, 1908, there was a meeting of the Bengal Legislative Council and the Hon. Mr. Duke stated as follows :

"The attention of the Government has been directed to the disturbances in Champaran ever since they commenced. Its attention was first attracted by the actual occurrence of the breaches of the peace, for no representation had been addressed to it or any of its officers on behalf of the persons who created the disturbance until breaches of the peace had taken place and the law had been put into motion to repress them. Government is not aware that any persons had to be released in consequence of the absence of its sanction to prosecute them, as sanction was granted in the cases in which it was asked for. It is not possible to answer in further detail at present, but Government has set itself to restore order and repress crime. The neighbourhood is generally quiet and as soon as it is reasonably certain that there will be no further resort to violence, a full enquiry will be made into the causes of the outbreak. An experienced officer has been selected and furnished with full instructions as to the

subjects to be examined; but no such enquiry could be undertaken without greater danger to the public peace or usefully conducted so long as the peace of the district continues to be disturbed."

The Magistrate of Bettiah was unable to take up all the prosecutions for trial and the Government deputed a Special Magistrate Mr. Goode. There were about fifty cases in which more than 300 persons were convicted. Radhumal admitted his guilt and was let off with a fine of Rs. 3,000. Sitalrai was sentenced to 2½ years' rigorous imprisonment and a fine of Rs. 1,000. The Government further posted an additional punitive police force in these parts which remained there from November 1908 to April 1909. The entire cost of the force was realized from the tenants and it is estimated that this came to about Rs. 30,000.

It has been said above that whenever the tenants of Champaran have tried to free themselves from the miseries of indigo cultivation, the planters have always laid the blame of the agitation among them on the shoulders of outsiders. On this occasion too they tried to do the same by starting the theory that Bengalis had created this ferment among the tenants for political reasons. But this accusation was wholly baseless and the special correspondent of the *Statesman*, reviewing the situation, wrote on the 2nd December 1908 as follows:

"The expediency of a departmental inquiry by the government into the troubles of the planters and the grievances of the ryots will probably have been suggested by my last letter upon the present situation in this sub-division of Champaran. From enquiries I have made today, it seems that some action of the Government is generally regarded as not only desirable but necessary and as the wish is father to the thought, it is hinted as a

possibility that a Commission may be appointed when the Police Court cases are over in order that a thorough investigation may be made. In the meantime, in view of this not unlikely contingency, it is only fair to those who are connected in any way with the case that I should publish the result of my interview with the ryots and so to collate and confront them with the recorded statements of planters.

"At the outset I must record certain alleged acts of reprisal on the part of the factory servants and so-called 'friendly villages' who, now that they are backed by bayonets and rifles, have, it is said, turned upon the 'enemy' in some parts of the district with retaliatory *lathi* blows. During the riots of the ryots some hard knocks were occasionally given as the evidence shows, and some of those who were knocked in the first place have, it is rumoured, been returning the compliment with compound interest. While walking early this morning through the bazaar an individual of the cooly variety came running to me with a lamentable tale of assault and beating committed upon him by a factory peon. He shed more tears in five minutes than I should otherwise have considered possible in the case of a man, and pointing to his body he indicated by weird gesticulations a great weal which clearly indicated the impression of a bound bamboo. I gave him some pice and told him to place his complaint before the Magistrate, and as he received the money with favour and the instructions with disfavour, there it seemed the matter had ended. Upon my return to the place of tents, however, an ox-wagon drew up to my door, and by most pitiful lamentations my attention was drawn to the occupants. What I saw then is common enough to those who have trailed through a campaign, but unless war has actually broken out in this usually peaceful province it was a sight to be wondered at. The wagon contained a party of wounded men. One had a blood-stained bandage round his arm. Another had his jaws tied up in a cloth and upon this there were blood stains; upon the party generally there were contusions and abrasions. A white-haired person in the group who did all the howling seemed to have nothing the matter with him at all, however, and

it was he who told the story, the truth or falsity of which must be left to another tribunal, as to an alleged assault by factory servants, in the absence of the proprietor, upon his unfortunate companions. If any reliance can be placed upon the garrulous individual in question the planter would be well advised if in future he keeps a sharp eye upon his 'friendlies'.

"I have been requested by some of the planters to deny the statement which has evidently gained some credence, that the recent agitation was engineered by Bengalee agitators. The observation appeared, I am told, in a certain Calcutta newspaper. One has only to live five minutes in Bettiah to realize the absurdity of the contention made by the correspondent in the present instance, for there is an inherited antipathy, undefined as Indian antipathies are, between Bengalees and Biharees which at once precludes the argument. A Bengalee anarchist would probably get as much chance of a hearing in Bettiah as Moody and Sankey might have done in Mecca. On the other hand, it would, generally speaking, be just as profitable to expound a problem of Euclid or to deliver an exposition upon somatology as to preach politics to the Bettiahis. The existing trouble is purely agrarian. The ryots had held their holdings for generations, they rarely pass beyond the limitations of the farms; they know nothing and care nothing about the hubbub of the outside world; the entire interest of each one of them is centred upon his own individual paddy patch. In the police court evidence it is said that the ryots conspired to 'drive the Sahibs out of the country', but the country in their case means the Bettiah Sub-division, not the Indian Empire, and it is erroneous to suppose that the agitation has anything to do with Bengalee anarchism.

"I interviewed today some persons whose names need not be mentioned, within the *elaka* of a certain factory where the agitation commenced in the first instance. The ryots in this *elaka* have not renewed the *sattas* of their forefathers, and they contend in the absence of any agreement to the contrary, that they are under no obligation to cultivate indigo on their farms for the use of the factories.

The Question of Compulsion

" 'Has any compulsion been made in order to induce you to grow indigo ?' was the first question put to the visitors from Sathi.

" 'Since last year there has been no compulsion,' said one of the men, 'either as regards indigo or any other crop for the benefit of the factory. We have merely to pay Rs. 3 per *bigha* in order to evade the obligation to devote three *kathas* in the *bigha* to indigo cultivation.'

" 'By that payment you acknowledge the existence of some sort of obligation ?'

" 'Yes,' replied the second man, 'under the old *satta* we were paid Rs. 19 per *bigha* for growing indigo. Although we have now no formal *sattas* we have hitherto been growing indigo under the conditions contained in the former contracts. For about twenty-five years we have worked without *sattas.* For the past thirty years no new agreements have been introduced until recently. I have never seen a *satta.* The Sahib was quite willing to go on without them, seeing no necessity for their re-introduction. Last year, however, the Sahib purchased about 400 rupees worth of agreement stamps, and in some places, by force, he compelled the *assamis* to sign new *sattas.* They have since petitioned the Collector stating that they were compelled by the Sahib against their will to subscribe to these new contracts. Under the *sattas* a ryot receives Rs. 15 per *bigha* for oats and Rs. 19 for indigo ; but from our own country crops we can make Rs. 40 to Rs. 50 per *bigha* A *bigha* would realize from 60 to 70 maunds of oats, and in the rainy season, when oats (a winter crop) have been harvested, we are able to get a full crop of paddy, which may possibly come to from 60 to 65 maunds, which would realize about Rs. 120.'

" 'What do you mean when you say that your brothers were forced to sign new agreements ?'

" 'They were compelled by the institution of false charges and imprisonment. Last year there were several cases against my relatives and they were bound down to keep the peace.'

" 'Is it not a fact that after the indigo is cut, you are at liberty to grow *rabi* for your own use on the indigo land ?'

" 'We are not allowed to do so. The land must be fallow until the next sowing in order to increase its productiveness. The introduction of Java seed is an experiment and at present it occupies the ground for three years to the exclusion of country crops. We do not want to grow indigo. As regards sugar-cane, it does not pay us sufficiently to cultivate it for the factories. We can make much bigger profits if we grow crops for ourselves in our own way.'

" 'If that is true, how do you account for so much sugar-cane being sent to a factory by outside ryots, who are under no such compulsion as you suggest ?'

" 'It comes about in this way. The ryots grow cane in order to convert it into golden sugar. They have not the requisite machinery for converting their entire crops and what remains of the cane is sold to the factories. The factories have sufficient lands of their own both for indigo and sugar, and they should therefore allow us the freedom of doing as we like.'

" 'You were contented and happy in the past while working for the Sahibs. Why have you changed your attitude so suddenly ?'

" 'At a time when food stuffs were cheap, we were willing to grow indigo. For the last few years, however, there has been draught and scarcity and the prices of cereals have gone up and we can now make larger profits from our own crops. When growing indigo we are engaged in that work throughout the year and our own lands are neglected and we have to pay *bakshees* to the *Sajawal*, the *Tokedar*, and *Ziledar* of the factories ; if we do not, they make us do extra work which is objectionable to us and the *dhangars* who did menial work in the past, at 4 as. per day, have been sent away and we are compelled to do their task ourselves, at 5 or 6 pice. For these reasons we do not wish to contract with the Sahibs for the cultivation of indigo.' "

After the restoration of peace the Government deputed Mr. W. R. Gourlay, who was at the time Director of Agriculture and who had also served as the Magistrate of Champaran formerly, to inquire into the grievances of the tenants. He arrived at Bettiah on the 20th December, 1908, and began his enquiries. The tenants of Champaran even now gratefully remember the name of Mr. Gourlay and say that if all the Government Officials were like him, all their miseries would have disappeared long ago. Mr. Gourlay, after a thorough enquiry, submitted a report to the Government. That report is still a sealed book to the public as it was not published. Several times questions were raised in the Bengal and Bihar Councils, particularly by the Hon. Babu Brajakishoreprasad who was a member of the Bengal Council in 1910. But the Government never gave satisfactory replies and flatly refused to publish the report. The Press also severely criticised this action of the Government but to no effect. The result was that the suspicion of the public became deeper that in Mr. Gourlay's report there must be the finding that the tenants' grievances were well founded and that the planters were to blame. The Hon'ble Mr. Maude, while introducing the Champaran Agrarian Bill into the Bihar Council, said as follows regarding this report :

> "The result of that inquiry (Mr. Gourlay's) was a re-statement of all the old grievances which figured in all previous inquiries. Mr. Gourlay found that the cultivation of indigo on the *Asamiwar* system did not pay the ryot, that the ryot had to give up his best land for indigo, that the cultivation required labour which could be more profitably employed elsewhere, and generally that the system was irksome, and led to oppression by the factory servants."

After this report, the Lieut.-Governor, Sir Edward Baker, like Sir Ashley Eden on a previous occasion, explained the situation to the planters and had conferences with them at Darjeeling and Patna in 1909-10. The result of these conferences was that the price of indigo was once again raised by 12½ per cent, and it was decided that the tenants should be made to grow indigo in 2 instead of 3 *kathas* per *bigha* of their holding and they should not be required to raise any crop other than indigo for the factories. It has to be stated with regret that in spite of this decision, some planters continued to cause tenants to grow in 3 *kathas* instead of 2 *kathas* not only indigo but other crops also, such as, sugar-cane and barley. It must also be added here that after Mr. Gourlay's report, the Government released all those tenants who had been convicted and were in prison. It is the belief of the people that that was also a result of Mr. Gourlay's report.

The tenants of Champaran remained quiet for some time after these incidents. But it should not be inferred from that that their grievances had been removed. The oppression of the planters continued as before and the question was discussed from time to time in the Council and in the Press. When the King Emperor and Queen Empress came to India in 1911-12, they visited the Nepal Tarai near Bhikhna Thoree for *shikar*, About 15,000 tenants assembled at Narkatiaganj railway station to lay their grievances before them. The story is that they shouted out their grievances, but on His Majesty's inquiry about the cause of the shout, it was represented to him as an expression of welcome and joy on their part. It is no doubt true that they expressed their joy and

welcome but they also represented their grievances. To their misfortune, however, only the former reached the ears of Their Majesties and not the latter. When His Majesty reached Calcutta a number of tenants went there and sent in a memorial to him. This was forwarded under His Majesty's commands to the Government of India for proper action; but it was unfortunately returned to the senders on the 3rd February, 1912, by the Government of India for the reason that it had not been submitted through the proper channel! The hopes which the poor tenants had formed from Their Majesties' visit were thus dashed to the ground.

In 1913 the *Biharee* which was the principal daily paper of Bihar wrote several articles about Champaran.*

By that time Bihar had been separated from Bengal. Sir Charles Bayley had been appointed Lieut.-Governor of Bihar. It appears that the articles in the *Biharee* produced only one result, and that was that Babu Maheshwarprasad, the fearless editor of the paper, was by some under-hand means removed from the editorship, and the proprietorship of the paper which was formerly owned by a limited company, passed into the hands of a rich Raja, who had held the largest share in the company.

In 1911-12 and 1912-13 the tenants submitted several memorials to the Government, the Collector and other Officials. But so far as is known it does not appear that any action was taken on them which

* See the daily *Biharee* 11th, 12th, 13th, 15th and 28th September, and 1st, 25th, 26th, and 27th October, 3rd December 1912 and 11th January, 4th, 22nd and 23rd February, 2nd April and 6th July, 1913.

could assure them that there was any one before whom they could lay their grievances. It so happened that in some cases these memorials were forwarded to the very planters against whom complaints had been made in them. The *Amrita Bazar Patrika* of Calcutta, commenting on this incident, unearthed an old incident of the Muzaffarpur district in which the Magistrate of Hajipur had referred for report to Mr. Konstam of Singhia Factory a complaint against him and this "My dear Mr. Konstam" practice (of writing demi-official letters) continued in Champaran up to 1911-12 as was shown by the articles in the *Biharee.* In November 1912 Sir Charles Bayley visited the Sonepur fair and there he was received with great eclat by the planters. They presented an address to the Lieut.-Governor in reply to which His Honour said as follows:

> "I need not say how fully I and my colleagues share your hope that the relation of the planting community with the officials, zamindars and ryots will always remain on the present satisfactory footing."

Reviewing this speech of His Honour, the *Indian Planters' Gazette,* which is the organ of the planters, wrote as follows:

> "Peculiarly apposite too at this particular juncture was His Honour's reference to the satisfactory relation between the planting community and the officials, zamindars, and ryots, and we hope that the vivacious editor of the *Biharee*, the erudite author of the articles on the planter and the ryots that have lately filled blank spaces in our Patna contemporary, will digest this public official utterance which so quietly and effectively gives the *Biharee* the lie direct. Our contemporary called upon God and Government to hear while he bore witness to planter oppression and planter extortion. Will the Government at any rate regard his testimony as false? We hope that our contemporary

has the courage born of convictions, we hope that his editorials were not merely attempts to foment discontent and discord."

It was the misfortune of Champaran tenants that just at a time when they were sending memorial after memorial to the Lieut.-Governor detailing their grievances, His Honour thought it fit to give the planters a certificate of character. But it is a law of nature that truth can never be suppressed. Truth always finally conquers. Whatever Sir Charles Bayley may have said in reply to an address of welcome, the whole truth came out in 1917.

6

SHARAHBESHI, TAWAN, HARJA

We have now arrived at a period when by their adroitness the planters put a heavy burden on the tenants for ever to carry. Till then the factories used to get indigo grown and whatever of force or oppression there was, was in connection with the cultivation of indigo. But the synthetic dyes of Germany had reduced the price of indigo to a very great extent and indigo cultivation was not as profitable as it used to be formerly. In some places there was actually loss. Many factories were closed in the district of Saran ; and so also many of them stopped work in the districts of Muzaffarpur, Durbhanga, and Monghyr, and those that remained were growing other crops, like other agriculturists, on their land. Champaran was not altogether free from the effect of this competition, and there, too, where in 1892-97 indigo had been grown on an average on 91,000 acres, every year, in 1914 only

8,100 acres were under indigo. The Government made great efforts to save the indigo industry. Many scientists began to investigate the subject, but there was no chance of any profit from indigo cultivation visible. Even indigo grown and manufactured by labour which was not paid for, or if at all at a very low and nominal rate, and which the tenants were compelled to cultivate at a loss to themselves, instead of yielding profit now became a source of loss to the planters. Inscrutable are the ways of Providence ! The tenants saw that what they had not been able to accomplish by their petitions to the Government and occasional outbursts of violence was now going to happen of itself, and they began to see the dawn of hope for release from indigo oppression. But who knew that behind the rays of dawning light a storm was gathering which for some time at least would over-cast the brightness and spread darkness once again ?

The planters saw that they must give up indigo cultivation. The profits that used to be derived from indigo cultivation could not be made from cultivation of ordinary country crops. They had also invested large sums in tools and plants in their factories, and all this would be a dead loss. They would be reduced to the position of ordinary agriculturists. They began to think of means by which all the loss should be transferred from themselves to the tenants, and from 1912 to 1914 they were engaged in this enterprise of transferring the loss that should have been borne by them on to the shoulders of the tenants. They devised various means to accomplish this, and of these *Sharahbeshi*, *Tawan*, *Hunda* and *Harja* deserve special mention.

The land in north-western Champaran is not fit for indigo cultivation. When factories were established in those parts, indigo cultivation was not successful. They used to grow paddy, and in some places sugar-cane and oats; but these were not so profitable, and the great source of their profit was realization of abwabs or illegal cesses. It will be shown later what these abwabs were. Here these factories are mentioned only because it was one of them that discovered a means of making up the loss to it from loss of indigo. There is a factory in these parts at a place called Murla. When this factory saw as early as 1897-98 that there was no hope of profit from indigo in those parts, it began to realize from the tenants a sort of cess as a substitute for indigo cultivation. It was done as follows. A tenant who had to grow indigo in a certain portion of his holding did not do so, as the land was not fit for it. He grew paddy instead. The factory took the paddy grown on the land which would have been under indigo if the soil was suitable, and paid a nominal price for it. In some places instead of paddy, its price was realized. This system is called *hunda*. In effect, it amounts to an enhancement of rent. Take an example. A tenant had a holding of 20 *bighas* and the rent payable for it was Rs. 60 per year. He had to grow under the *tinkathia* system indigo on 3 *katha* per *bigha* of his holding, that is, in this case on 3 *bighas*; but he grew paddy on these 3 bighas also and raised 60 maunds of paddy. The factory would take these 60 maunds of paddy at a nominal price, that is, it would realize besides Rs. 60/- the rent legally payable by him, 60 maunds of paddy at a nominal price. When the Government came to know

that *hunda* was being realized in this way from the tenants, it declared the *hunda* to be an abwab or illegal cess and ordered that it should not be realized. Perhaps the Murla factory stopped realizing *hunda* under this order but it began to realize *harja* or damages at the rate of Rs. 3/- per *bigha* of the holdings of the tenants. The damages were supposed to be in lieu of the release given to tenants from the cultivation of indigo which was never grown there and for which by act of God the soil was utterly unfit. About 1905 the Motihari factory introduced a similar system of release from indigo by realizing *harja.* It began to realize, apart from and over and above the legal rent, about Rs. 2 to 3 per *bigha* from the tenants. When the Government became aware of this, it again considered it illegal and tried to stop it. But the Government was not as impartial on this occasion as it had been on the previous occasion. It notified to those factories which had only temporary short term leases that if they did not stop realizing abwab, their leases regarding Bettiah Raj villages would not be renewed by the Court of Wards. It, however, made an addendum to its notification which deprived it of all its value. Although it had now become clear to every one that on account of the loss involved in the business, the factories were even more anxious than the tenants to get rid of indigo cultivation, the Government added in its notification that if a factory insisted on indigo being grown by a tenant in pursuance of the terms of a contract between the planter and the tenant, and the latter did not wish to grow it, then it would be open to the planter to release the tenant from the obligation on taking damages. No sooner was this

declaration made than the planters began to realize damages from the tenants.

It has been shown above that the indigo planters knew that their position was most unsatisfactory. They thought it was not wise to consult the Government often on this matter ; and that it was necessary to devise some permanent solution of the difficulty. Readers are aware that in the villages of the Bettiah Raj the planters have acquired two kinds of rights. In some villages they were *mokarridars*, i.e., perpetual lessees on a fixed rental which is not liable to enhancement. The Raj has no connection or concern with these villages except getting from the lessees the fixed rent. The planters have all the rights of a landlord, i.e., proprietary rights, in those villages subject to the payment of the fixed rent to the Bettiah Raj. If the income from these villages was enhanced, it would go not to the Raj but to the planter, the lessee ; and if the income fell, the loss too would fall on the lessee. The Raj would be entitled to get only the fixed rent from the lessee. The other class of villages are those which were leased out by the Raj to the factories for short terms. It is open to the Raj either to resume possession of such villages on expiry of these terms, or to renew their terms to the same lessee or to lease them out to other persons. If the income of these villages is enhanced, the enhancement after the expiry of the term, will go to the Raj which may for this reason resume possession of the villages or resettle them on an enhanced reserved rent with the lessee.

It is necessary to understand the distinction between these two classes of rights, as the planters employed separate devices in the two different classes

of villages to realize money from the tenants. The readers must also know one other fact. Bihar which was formerly a part of Bengal, has a tenancy law called the Bengal Tenancy Atc. This Act lays down and defines the rights and liabilities of landlords and tenants regarding agricultural lands. According to it there are two classes of tenants — one class having the right of occupancy and the other having no such right. The rent payable by a tenant having the right of occupancy can be enhanced in one of two ways; namely, by contract between the landlord and the tenant or by order of Court. But a landlord's right to enhance the rent by private contract is limited. The reason of the rule is that in the view of the legislature it is not safe to leave the tenant at the mercy of the landlord who could coerce him in various ways to agree to large enhancements. The Bengal Tenancy Act accordingly provides that a contract between landlord and his tenant enhancing the rent by more than 2 annas in the rupee or 12½ p. c. is void. In 1883 when this measure was before the Legislative Council the planters induced the Government to add as one of the exceptions to this rule that if the rent payable by a tenant was lower than the rent usually payable in the locality by reason of the tenant's obligation to grow a particular crop on his holding for the benefit of the landlord, and if the landlord released the tenant from this obligation, then any contract by which the rent was enhanced even by more than 2 annas in the rupee would be a valid contract. This was a good weapon in the hands of the planters, and they decided to employ it. Mr. Irwin, the manager of the Motihari factory, took legal opinion on this matter and it is said that

Sir Rashbihari Ghose of the Calcutta Bar gave it as his opinion that if the conditions laid down in the section were fulfilled, then the tenant might enter into a valid contract enhancing the rent by more than 2 annas in the rupee. Mr. Irwin represented the matter to the Government. The Government said that inasmuch as it had no materials before it upon which to find that the rent in Champaran was below the usual rate by reason of an obligation on tenants to grow indigo, it would give no opinion in the matter, and the planters might do as they were best advised but that if their action was found to be illegal, the responsibility would be theirs.

When the planters had armed themselves with legal opinion and the Government, too, did not stand in their way, they placed before the tenants a proposal to enhance their rent. It has been pointed out above that if the rent of *mokarri* villages was enhanced, the enhancement would accrue to the benefit of the *mokarridar* or the perpetual lessee, i.e., the planter. They, therefore, decided to have enhancements of rent in such *mokarri* villages. Mr. Irwin of the Motihari factory began the work of enhancing rents in 1911-12 by getting contracts executed by tenants. Turkaulia, Peepra, Jalaha, and Shirni factories were not slow to follow the example of the Motihari factory. The planters say that the tenants willingly agreed to the enhancement of their rent, and they gladly accepted to pay Re. 1/10/- or Re. 1/12/- where they had been paying Re. 1 only. It is urged by them that the tenants were sick of indigo cultivation, and when the planters promised to release them from the obligation to grow indigo, they welcomed the proposal and gratefully accepted

the proposed enhancement. The tenants, on the other hand, say that they knew that indigo was now bound to go. It was no longer profitable to the factories. They knew, too, that in the adjoining districts of Saran, Muzaffarpur and Darbhanga many of the factories had been closed and they were hoping that on account of natural causes these factories would disappear from Champaran also. They urge that, therefore, when the proposal to enhance rent in lieu of release from indigo cultivation was placed before them, they flatly refused to agree and told the planters that in lieu of release from the dying indigo cultivation they would not put this burden of enhancement of rent on their and their children's heads, and that if it suited the planters, they might insist on the cultivation of indigo. The interests of the planters at this time, however, demanded that indigo cultivation should cease and tenants should pay in cash instead. They were not any more prepared to consider the interests of the tenants now than they had ever been before. The tenants assert that all the contracts for enhancement of rent which they were supposed to have made were forcibly taken from them. Not one or two but thousands and thousands of tenants solemnly made the assertion before Mahatma Gandhi that they signed or put their thumb impressions on enhancement contracts under compulsion after being dishonoured and beaten. Those who had the misfortune or rather the good fortune to hear the statements of these thousands and thousands of the simple tenants of Champaran are firmly of opinion that the tenants never willingly agreed to these enhancements — the opinions of those in authority and the Courts to the contrary notwithstanding. It

is, however, true that every tenant was not roughly dealt with, every tenant was not tied to a tree and then beaten with leather straps, every tenant was not shut up in a chickenpen or in some dirty place in the factory — peons were not quartered at the house of every tenant, Dhangars (a low class untouchables) may not have been posted obstructing the egress from and ingress into the house of every tenant, every tenant may not have been tied down and thrown in the hot day sun or a heavy load placed on his head or breast — it may be that the services of barber, washerman, carpenter and smith may not have been stopped in the case of every tenant, every tenant may not have been made the victim of a false prosecution in the criminal courts, the roads leading to every village may not have been closed and the grazing lands may not have been closed against the cattle of every tenant ; but this much is certain that some of the biggest and most respectable and influential among the tenants were severely dealt with in some one or more of these ways, and their spirit having been crushed, the rest of that and the neighbouring villages were easily coerced into submission. It was only natural that they should submit to what they considered to be the inevitable.

The reader knows that at that time Sir Charles Bayley was the Lieut.-Governor of Bihar. His policy was peculiar. He paid no heed to the petitions of the tenants ; but on the representation of planters he sent special Registrars to the factories to register the enhancement contracts, so that the planters might be saved the trouble or delay of going to the Registration Office, for their registration. In this way some seventeen special Registration Offices were

opened in Champaran and in 1912-14, some 30,710 enhancement contracts were registered. No more effective method than this could have been devised to impress upon the minds of the tenants that the Government was behind the planters in these efforts than this extraordinary procedure of opening special offices for their convenience and it had the desired effect of making them realize that if they created any trouble, they would have the repetition of what they had suffered in 1908-09 — when large numbers among them were shoved into jail and special punitive police posted in their villages at their cost. They realized that planter and Government were interchangeable terms and that they had no right to expect protection from the one against the other. Had not Sir Charles Bayley made this perfectly clear by giving a certificate of good character to the planters about the end of 1912 ? To expect anything from him would have been the height of folly and credulity of which even the simple tenants of Champaran were not capable. They submitted to the inevitable.

Whether the enhancements were forced on the tenants or whether they agreed willingly to take this burden on their own head to transmit it to their children and children's children in lieu of an alleged evanescent obligation which was fast disappearing by reason of natural causes, one thing is certain, and that is, that most of the tenants of the *mokarri* villages of the Turkaulia, Peepra, Motihari and Jalaha factories did execute such contracts. In the Motihari factory the rent was thus enhanced by Re. 1/10/6 per acre or by 60 p. c. ; in Peepra by Re. 0/15/- per acre i. e. by 75 p. c. ; in Turkaulia, by Re. 0/15/- per

acre, i. e. by 50 p. c.; and in Jalaha by Re. 1/3/- i. e. by 55 p. c. of the existing rent.*

If the average of the entire district is taken, it will be found that the enhancement of rent amounted to 60 p. c. on the existing rental. In spite of the fact that under the law a landlord is not entitled to get an enhancement from his tenant by means of a contract of more than 12½ p. c. on the existing rental, it is said that the tenants willingly agreed to the enhancement of about 60 p. c. The planters on their side agreed to release the tenants from the obligation to grow indigo. We shall see later on how far this promise was kept by them. Suffice it to say here that when the Great War broke out and indigo cultivation once more became profitable the planters did not desist from making the tenants grow it once again. They released in this way about 22,000 acres of land in which tenants had been growing indigo under the *Tinkathia* system from indigo obligation. Mr. Irwin admitted before the Agrarian Commission that the increase in his income from enhancement of rent in his *mokarri* villages amounted to Rs. 50,000 per annum, the capitalized value of which at 20 years' purchase would be no less than Rs. 10,00,000. Mr. Irwin took this enhancement from 41 villages in which there were 41,005 tenants and realized thus Rs. 50,000 per year for five years, i. e. about Rs. 2,50,000 over and above their original rent. Similarly, in Peepra factory enhancement was taken from 8,000 tenants. The rate of rent in the villages of that factory was lower than in other places and

* Vide letter of Mr. W. S. Irwin dated 16-10-'17 which was published in the *Englishman* of Calcutta and reproduced by the *Amrita Bazar Patrika* dated 23-10-1917.

the enhancement here was up to 75 p. c. of the existing rental.

It used to be the opinion of Government officials that the tenants of this factory were more contented than those of other factories ; but the tenants of this factory created more noise than those of other factories in this matter of enhancements. Many petitions were sent by them to the Government that they were being forced to agree to enhancements. One of such petitions was submitted by one Lomrajsingh to the Commissioner of the Tirhoot Division on the 12th December, 1914. This petition was signed by 700 tenants. As a result Mr. E. N. Norman, the Manager of the Peepra factory, prosecuted Lomrajsingh and 14 others for defamation. It was not a civil suit for damages in a Civil Court. Very few of the suits of planters go to the Civil Courts. They find thier work easier and more convenient in Criminal Courts — thanks to the system of combining judicial and executive functions in the same officers. Readers can well imagine their reason for this partiality for criminal courts. The tenants did their best to defend themselves, but Mr. Beal, the Magistrate, convicted them and sentenced them to 6 months' imprisonment and Rs. 24,000 fine. The tenants appealed to the District Judge, Mr. A. E. Scroope, and he set aside the order of the Magistrate and acquitted the accused on the 7th September, 1915. We quote below a portion of Mr. Scroope's judgment which will show with what oppression the enhancement contracts were forced down the throat of the tenants :

"For the appellants the contention is that the wholesale execution of *kabulyats* was brought about by nothing

less than an organized system of oppression by the factory servants, hangers on and *umidwars* who represent the factory in the eyes of the ordinary ryot, and that the chief means resorted to were (1) stoppage of cultivation till the *kabulyats* were executed, (2) bringing in women to register, whose husbands or male representatives had run away to avoid registering, and (3) criminal cases. Again looking at the probabilities there is no doubt that whilst the intentions of a manager may be one thing, the acts of the factory servants may be, and often are, quite another. It was undoubtedly to the interest of the factory to substitute these new agreements for the obligation to grow indigo. This being so, it is by no means improbable that the factory servants would put pressure on the ryots to come in and execute *kabulyats* ... Anyhow taking the evidence as it stands, it is impossible to avoid the conclusion that stoppage of cultivation was used by the factory as a means of getting these *kabulyats* executed, and this certainly justified a representation to the Commissioner, as it is hard to imagine a more unfair stimulus to execute a document, and the adjectives used in para 3 of the petition to the Commissioner are not unreasonable epithets to apply to it...Then as regards the allegations about women, the defence puts in *kabulyats* all of which, it is denied by the prosecution, were filled up first in a man's name and eventually registered by a woman...Certainly the factory's action in these instances may have been perfectly bona fide but the necessity has not been explained for this urgency and for not waiting till the men had made their periodic returns."

In the Turkaulia factory enhancement contracts were taken from 9 to 10 thousand tenants. Some of the tenants of that factory instituted 9 civil suits to set aside their contracts. They were treated as test suits by the factory and fought out with great care by it. Mr. P. C. Manuk, a distinguished advocate of Patna and for sometime the Government Advocate and a Judge of the Patna High Court, was engaged by the factory. The cases went on for a long time. The

tenants were of course incapable of coping with a litigation of this protracted nature. The Munsiff in the first Court decided the suits against the tenants, but when the cases went in appeal, Mr. Sheepshanks, the District Judge, held in his judgment dated 15th March, 1917, that in 5 out of the 9 test cases, enhancements were illegal as there was no obligation on the tenants to grow indigo. Both parties appealed to the High Court in the suits in which the decisions of Mr. Sheepshanks went against them, and these appeals were dismissed without trial on account of the Champaran Agrarian Act having been passed in the meantime. But the judgment of Mr. Sheepshanks shows this that it was not an easy matter for the factories to prove the obligation on the part of the tenants to grow indigo, and it is no exaggeration to say that no less than 60 p. c. of these contracts for enhancement were illegal and void apart from all considerations of coercion and undue influence.

What happened among the Jalaha factory tenants is worth knowing, particularly because the then proprietor and manager, Mr. J. V. Jameson, was the representative of the Bihar planters in the Legislative Council and in that capacity he said in the Council that the Champaran Agrarian Committee did not act impartially. Let us see how his factory had behaved.

The factory people saw that there were legal difficulties in the way of getting enhancement agreements from tenants. They saw that if the conditions laid down in the Act were not proved to exist, the enhancement agreements were liable to be set aside at the instance of the tenants. It has already been

stated above that a tenant who has acquired right of occupancy is not liable to have his rent enhanced except under certain conditions and to a limited extent. But under the law there is no limit to the right of parties to contract to pay any rent for a land newly settled. The reason of the rule is perfectly clear. If the tenant does not agree to pay the rent demanded by the landlord, the former cannot force the latter to settle his land with him and must be prepared to go without it ; but in case of tenants who are already on the land, the landlord's rights are limited and the tenant cannot be ejected except under very strict conditions laid down in the Act. The Jalaha factory devised a means to get rid of this right of occupancy acquired by the tenants in course of years and make fresh settlements with them which would be free from the obligations laid down on landlords regarding occupancy tenants and which would also not be subject to any limit in the matter of rent. The factory would thus sail clear of all legal difficulties. The only difficulty was how to deprive the tenants of this right of occupancy. It is always open to the tenant to surrender his right and his land to the landlord and to free himself from the liability to pay rent. This rule is laid down for the protection of the tenant, as there may arise cases in which on account of excessive rental or for any other reason it may be necessary for the tenant to free himself from the liability to pay rent. But the framers of the Bengal Tenancy Act could never have imagined that this provision intended for the protection of the tenants could ever be used for the oppression of the tenants of Champaran. The factory told the tenants to surrender their lands, and it is said by the factory that

the tenants willingly and gladly surrendered their valuable lands and their valuable rights in them, and again took fresh settlements of these very lands in the names of some relations of theirs on a greatly enhanced rent.

Readers can easily imagine if the planters could force the tenants to execute indigo contracts or to agree to enhancements, there was no particular difficulty in their making their tenants agree to such surrender of their rights. When a suit regarding such surrenders came before the Civil Court, the Munsiff decided that the surrender had been taken forcibly and he held as follows in his judgment dated 30th July, 1917:

> "Examining the *istifanama* (document of surrender) I find it is on a printed form and it does not bear the signature of Jaldhari. No doubt it bears the thumb impression of one person but it does not mention whose thumb impression it is. Plaintiff had produced the entire *istifa* book before me. I made the *patwari* count all the *istifas* taken from that village in that year, and the witness after counting it page by page stated that there were 125 tenants in the village and the surrender was taken in that village from not less than 95 tenants of the village. It is the evidence of plaintiff's own witness No. 2 that tenants were not allowed to cultivate their lands unless they paid an enhanced rent at the rate of Re. 1-8-0 per *bigha* and that Jaldhari surrendered the land as plaintiff had enhanced his rent at that rate. If that was the reason for the surrender, I would naturally expect him not to take land from the plaintiff any more. But he keeps on the same land with this difference that its rent was nearly doubled after this so-called surrender. According to this witness rents of all tenants of the village were enhanced that year save that of four tenants and that saving these four men all the tenants had to surrender their lands.
>
> "The witness could not tell me any reason for this wild epidemic of surrender affecting all tenants of that

village in that fateful year 1320 (1912-13 A. C.). Every one knows that by surrender of a holding by a tenant is meant total renouncement of possession on the said land of his. But this is a peculiar kind of surrender in which the tenant Jaldhari surrendered his holding on the 9th April, 1913, and that the tenant and his co-tenant took settlement of those very lands the very next day i. e. on the 10th April. The reason for going through this form of surrender is found in the evidence of the Plaintiff's *patwari*. He says that the rent of tenants was enhanced at the rate of Re. 1-8-0 per *bigha* on the wish of tenants in lieu of not growing indigo. So exemption from liability to grow indigo was the real cause of enhancement of rent and the surrender was not the cause for it, rather it was a convenient means adopted to achieve that by getting over the legal difficulties...It is obviously plain that what happened in 1320 was but a paper transaction. Exhibit I, the sham *istifa*, was but an ignominious device employed to evade the provision of section 29 (b) B. T. Act."

Truly there was this "wild epidemic" of surrender of valuable rights. The Jalaha factory in this way got an enhancement of Re. 1-8-0 per *bigha* i. e. about 55 p. c. on the existing rental. The enhanced rent was realized for three years i. e. from 1913 to 1915. Mr. Jameson thought, however, that in spite of all these precautions it was safer to take cash in one lump than this enhanced rental to be realized from year to year. He evidently believes in the wise English saying "A bird in hand is worth two in the bush." There was no knowing when the tenants would become refractory and carry the matter to Court. He therefore proposed to the tenants that he would give up enhancements in lieu of lump sums paid by them. He admitted before the Commission that he had realized Rs. 26,000 from tenants who had agreed to enhancements. He says that, this, too, was paid by the tenants willingly. The tenants

had no money even to pay their rents as the crops had partially failed for two seasons successively just before these lump sums were realized. But in spite of that the very tenants who were unable to pay their rents not only gladly agreed to pay this additional Rs. 26,000 but paid rupees eight to ten thousands in cash, and executed hand notes for the balance.

This sum had been realized from the *mokarri* villages only. Over and above this, like other factories, the Jalaha factory also realized lump sum damages from other temporarily leased villages, and the amount thus realized would not be less than this sum of Rs. 26,000. Thus the tenants of this small factory were mulcted in the shape of consideration for release from enhancements and *tawan* to the extent of Rs. 52,000 between the years 1912 and 1915. We shall refer again to Mr. Jameson's dealings with his tenants and leave him here for the present for fear of digression.

The Jalaha factory adopted this method of circumventing the law. Other factories adopted other methods. In one factory on account of the cessation of indigo cultivation, its own land could not be cultivated to any profit. The factory was anxious to settle it with tenants. It settled small bits of this land with tenants. The rent payable for these bits, however, was not the rent properly and reasonably payable for them but to that was added whatever the factory considered itself entitled to get from the tenant on account of enhancement. The result was that the provision of the Bengal Tenancy Act restricting enhancement was thus successfully evaded

and the rent was enhanced. This system of settlement came locally to be known as *hunda*. To make the position clear, let us take an example. The bit of land newly settled was very small. It is doubtful if any tenant got as much as one *bigha* of land thus newly settled. The rent payable for this additional newly settled land was calculated as follows. We have already seen that if a tenant had 20 *bighas* of land, he was obliged to grow indigo on 3 *bighas*. If for release from indigo cultivation he had to pay Rs. 1-8-0 per *bigha* as enhancement in his rent, he would have to agree to an enhancement of Rs. 30 per year. Now with this tenant ½ *bigha* of additional land was settled, the rent properly payable for which was say Rs. 5 per year. The rent, however, fixed under the new *hunda* settlement for this ½ *bigha* was not Rs. 5 but Rs. 5 plus Rs. 30 which, if he had agreed to enhancement, he would have to pay. In other words, the rent for that bit of ½ *bigha* was Rs. 35 or at Rs. 70 per *bigha*. Calculated in this way the rent payable per *bigha* in some cases came to as much as Rs. 91-7-3 per *bigha*. In one case it was found that the tenants' rent for his holding of 27 *bighas* was Rs. 59-13-6 while the rent payable for the same quantity of Factory's *Zerait* (own land), if settled, came to Rs. 659-7-0 ; in other words where the average rent was Rs. 2-3-6 per *bigha*, that for Zerait lands came to Rs. 24-6-0, that is, nearly twelve times the prevalent rent. It should be remembered that there was no difference in the quality of the land of the tenants' holding and the factory *Zerait*. In some places this difference in rent was seen in respect of different portions of the same plot. The reason is clear. The rent was not for the land actually settled.

It was the enhancement calculated on the basis of the tenants' *tinkathia* liability. I have heard that in some places land which remained under water all the year round and in which no crop could ever be raised was settled in this way at high rent. In other cases land which existed only in the imagination of the settler was settled. There was no land in existence which could answer the descriptions given in the settlement lease. The factory was concerned with realizing the enhanced rent. The tenants also knew that they had to pay the enhancement. What did it matter whether it was realized as enhancement pure and simple, or in an indirect manner? When the revision of Survey and Settlement took place the Settlement Officers recorded these newly settled lands separately as constituting separate holdings in themselves the result of which was that if a tenant wanted to surrender them, he could do so. The factory was of course anxious that this newly settled land and its rent should be amalgamated with the tenants' old holding and its rent. But fortunately for the tenants this was frustrated and the tenants were saved the enhancement. When Mahatma Gandhi came to Champaran, all these tenants in one voice declared their intention to surrender these *hunda* lands. The factory manager alleged that the *hunda* land was of superior quality, that the tenants had pressed him very much to settle it with them, and that if the tenants surrendered it, he would be able to derive much more profit from the land than he was getting as rent from the tenants. When the tenants heard this they all expressed their willingness to surrender their lands at once, and Mahatma Gandhi putting reliance on the words of

the manager took down the names of the tenants who wanted to surrender the *hunda* land and forwarded them to the manager. But the very same manager who had boasted that the factory had settled these lands at a loss with the tenants instituted suits for rents from the tenants for these very lands. With all this staring in their face there are people who are never tired of saying that the planters are in Champaran for the good of the tenants there, and whatever agitation or stir there arises among the tenants is artificial and the creation of outsiders without any substance or justification and that the tenants are quite happy under the planters. By these and such other methods the planters managed to shift the loss of indigo on to the shoulders of tenants. But this enhancement was taken in villages which were *mokarri* or in perpetual lease with planters, any increase in the income of which would in perpetuity accrue to the perpetual lessee. In temporarily leased villages, if the rent was enhanced, it would be open to the superior landlord, the Bettiah Raj, either to take these villages back or to enhance the rent payable by the lessee on the expiry of the term of the lease. In such villages therefore the planters realized lump sums of money from the tenants.

There are many points worth considering in this connection. The planters' allegation was that they were entitled to compel tenants to grow indigo in 3 *kathas* per *bigha* of their holdings. It was a sort of personal obligation on the tenants — an obligation of the same nature as that to pay rent. Under the law this obligation could attach only to such holdings as were burdened with it from their very commencement. Obviously it could not attach to holdings

which were not so burdened at their commencement. If this obligation did not attach to the holding from its very inception, the provision in law permitting unlimited enhancement would not apply, and a contract for enhancement of rent by more than 2 annas in the rupee would be legally void. In villages where the planters were the perpetual lessees their rights were practically the same as those of landlords ; but this *mokarri* or perpetual right originated only in 1888, and as most of the holdings of tenants were in existence from before 1888, when the planters' right originated, the alleged obligation to grow indigo could not have attached to them, and therefore unlimited enhancements, would be illegal and void. But even if on account of their permanent right in the *mokarri* villages, it be admitted that the planters had some sort of a right, it is impossible to understand how they could have any such right in temporarily leased villages in which their own rights were temporary and from which they were themselves liable to be ejected. The Bettiah Raj which was the permanent and superior landlord of the villages never claimed such rights. The planters claimed rights against tenants which they themselves did not possess. One can understand a tenant contracting to grow indigo for a number of years and refusing to fulfil his promise and being made liable in damages for his breach. The factory would in such a case be entitled to realize damages from him ; and if it chose to release him from this obligation, it might claim some compensation for it also. But this can be legal only if the contract between the factory and the tenant is legally valid and duly executed without any undue influence, force, coercion or fraud

and after fully understanding the effect thereof. The tenants of Champaran had always asserted that the indigo contracts were forcibly taken from them and if they were left to themselves they would not grow indigo for one single day ; not only that, the terms and conditions of these contracts used to be such that no man in his senses would ever accept them as a free agent. Besides many of the factories had not even these contracts in their favour, and in many the terms of the contracts had long expired. But the planters realized cash payments as *tawan* or damages from all of them.

Like the rate of enhancement the rate of *tawan* varied in different factories. It was calculated in this way. If a tenant was obliged to grow indigo in 3 *bighas*, it was said that his indigo *lagan* was 3 *bighas*. The *tawan* realized was at the rate of Rs. 50 to Rs. 60 and in some cases even Rs. 100 per *bigha* of the *lagan*. The average for the whole district would be between Rs. 50 and Rs. 60 per acre. In this way the planters are said to have released 18,000 acres after realizing *tawan* at the rate of Rs. 50 to Rs. 60 per acre. In other words they realized nine to ten lacs in the shape of *tawan*. The tenants could not of course pay all this in cash. They paid as much as they could in cash, for the rest their cattle were distrained and other properties taken in lieu of cash. Many executed hand notes. The notes which were executed, in many cases, did not show that the consideration for them was not cash nor did they show that they were in lieu of damages for indigo. In some cases false consideration was mentioned in the bonds, e. g., that the money was borrowed by the tenant for necessary household expenses. Those who had to pay large

sums were required to execute not hand notes but registered bonds and in some of them absolutely false necessity for the "loan" was shown, such as, the marriage of a girl or the funeral expenses of an elderly member of the family. The tenants had also to pay interest on the hand notes and the bonds. Mr. Irwin, the manager of the Motihari factory, had admitted that he had realized Rs. 3,20,000 from his tenants as *tawan*, and his rate was Rs. 75 per *bigha*. It has already been stated that Mr. Jameson even in *mokarri* villages realized Rs. 26,000 as *tawan* after having realized enhancement for some years. In his *thika* (temporarily leased) villages he realized *tawan* at Rs. 55 per *bigha*. The indigo *lagan* of his factory was 475 *bighas* and he thus realized Rs. 26,125 as *tawan*, out of which he got about one third in cash and for the balance he took hand notes and bonds. This he did in Jalaha factory. Before coming to Jalaha he was a partner and manager of another factory called Bhelwa Factory. All the villages in possession of that factory had been taken on temporary leases only shortly before the realization of *tawan* commenced. The factory could not by any means force any obligation on the tenants to grow indigo. Mr. Jameson also admitted in his evidence that the indigo obligation could not be proved against the tenants. He had realized Rs. 75 or Rs. 80 per *bigha* all the same, from the tenants of this factory also. The indigo *lagan* of that factory was 1,600 *bighas* and he must have realized Rs. 1,20,000 to Rs. 1,28,000. It should also be noted that after realizing this large sum as *tawan* he sold the factory with the result that when in accordance with the recommendations of the Champaran Agrarian Committee

the Government ordered a refund by the factories of one fourth of the *tawan* realized by them, the tenants of the factory did not get any refund, as Mr. Jameson and his partner had departed after realizing the *tawan*, and it was considered unjust by the Government to force the new proprietors to make a refund of what they had not realized.

7

GOVERNMENT MEASURES

It has already been mentioned that in 1912-13 many petitions were submitted by the tenants against the planters. It has also been said how in spite of these petitions Sir Charles Bayley towards the end of 1912 congratulated the planters at Sonepur on the satisfactory relations then subsisting between them and their tenants. But this certificate could not long suppress the truth. When Sir Charles Bayley visited Champaran in the following February, the tenants memorialized him again and we give below three of such petitions.

I

"The humble petition of the undersigned tenants of the village Gawandra, Tappa Harihara, Dist. Champaran,

Most respectfully showeth:—

"1. That the petitioners are tenants and *kashtkars* of the village Gawandra which is in lease to the Gawandra Indigo factory.

"2. That hitherto the petitioners were required to cultivate Indigo for the factory at the rate of 3 *kathas* per *bigha* of their holdings and although against

their wishes they had accustomed themselves to that service, as any refusal on their part would put them to serious trouble.

"3. That now indigo manufacture has become less lucrative and the factory has thought fit to discontinue cultivation of indigo and has been trying to realize a sum of Rs. 60 on the allegation that the factory would relieve the petitioners from the burden of cultivating indigo.

"4. That indeed the cultivation of indigo is a burden imposed on the tenants without any jusificaton and the tenants are rightfully entitled to be relieved of that burden and for the matter of that the factory is not entitled to realize anything from the petitioners.

"5. That in spite of there being no justification the petitioners are being coerced to make payment of the above sum and some of us have been compelled to sign hand notes. The petitioners are terrified.

"6. That the petitioners are quite unable to protect themselves in ordinary course and they feel compelled to represent their grievances to Your Honour in the earnest hope that Your Honour will be graciously pleased to extend protection to your petitioners.

"7. That the petitioners are at Motihari and aspire for an opportunity to appear before Your Honour and to represent their grievances which they are unable to do in writing."

II

"1. We the tenants of *Mouzas* Phenhara, Parsrampur, Rapawlia, Jamunia Nasiba, and Ibrahimpur Parsawni, Dist. Champaran beg to offer our humble though hearty and loyal welcome to Your Honour on the occasion of Your Honour's graceful visit to the District of Champaran and we take it as a forerunner of peace and contentment in the district.

"2. Our villages are in lease to the Parsawni Indigo Concern and we have had miserable existence hitherto owing to the high-handedness of the factory with which

our lots have been permanently blended. But we believe and trust that our circumstances will henceforth be changed for better on account of Your Honour's happy visit to our district.

"3. The planters came to the district with a determination to manufacture indigo and our ancestors and ourselves were made to offer ready-made 3 *kathas* per *bigha*, every year of our kast lands for the cultivation of indigo which being absolutely unjustifiable and unconscionable was sought to be legalized by exactions of agreements from the tenants known as *sattas* and as slightest reluctance on our part and on the part of our ancestors would entail our total annihilation as it were, we persuaded ourselves to be agreeable to our lot to save our honour and existence. But this was not all.

"4. The three *kathas nil-sattas* were followed by a demand of cart *sattas* from us and the unfortunate lot accustomed themselves to the necessary evils in the expectation of enjoying peace. But this was never to happen.

"5. Unfortunately for ourselves the natural indigo lost its value in the market and the factories, at least the majority of them, have given up this idea of cultivating indigo any further and our factory is one of them. But the lull foreboded a destructive storm.

"6. The factory now demands and has been demanding for the last few years an yearly damage of Rs. 16-8-0 or a consolidated damage of Rs. 100 per indigo *bigha* for the apparent return of relieving us from the cultivation of indigo which means an increase of our rents by Rs. 2-4-0 per *bigha* and in the other case our total bankruptcy.

"7. That the demand is more than can bé assimilated and we are therefore unable and naturally unwilling and reluctant to consent to the payment of the same. But without any consideration of our poor and destitute condition, the factory insists upon the payment of the same by causing oppression of which there are many varieties.

"False cases have been and are being instituted against us, our cattle are taken from our cowsheds to the factory ground to be released only after payment of heavy fines, undue advantages are being taken of petty differences

among the ryots themselves, punitive police and police guards were once requisitioned on false allegation of oppression by the ryots to the factory which is simply absurd and impossible; now Dhangars who are known as factory's regiments, would be let on us and many other means would be devised to bring the ryots round.

"8. We petitioned the District Officer representing our grievances and praying for protection. But he declined to take steps on such petition and ordered us to file regular complaints against the factory. We then petitioned to the Comissioner of the division stating our inability to prosecute the powerful factory and praying for our protection. The Commissioner was pleased to order "Obviously if the tenants will not lay definite complaints nothing can be done, but it appears that the affairs in this *dehat* require to be watched."

"9. The Divisional Commissioner in the last portion of his order has shown some sympathy with us and has been pleased to remark that our affairs required to be watched, but that does not improve our conditions materially. The District Officer is pleased to advise our formally prosecuting the factory but for that we are unable and incompetent. Sometimes complainants against the factory have been prosecuted for false complaints without the same being properly considered with the result that we, ryots are unfairly silenced and compelled to pocket all sorts of injuries and oppressions or to comply with the demands of the factory so hard, unjustifiable and ruinous though they are.

"10. Your Honour's personal presence among us encourages us for presentation of grievances which we hereby do, trusting most sincerely that our evil days will end today and under the protection of Your Honour's benign Government we will be allowed to enjoy peace of mind in our humble hearth, if Your Honour be graciously pleased to order the District Officer to issue instructions to the factory to give up its efforts to realize the illegal demand mentioned above; for which we shall, as in duty bound, ever pray for Your Honour's long life and prosperity."

III

"We the tenants of *Mouza* Madhubani, *thana* Dhaka. Dist. Champaran, beg to offer our humble but hearty and cordial welcome to Your Honour on the occasion of Your Honour's visit to this district.

"We are, Your Honour, yoked to the Nirpur factory which has been demanding an increase of our rent for our holding on the allegation that we will be relieved of the burden of cultivating indigo for the said factory. The cultivation of indigo is indeed a burden and the sooner we are relieved of it, the better in the name of British Justice. But the demand for any addition to our rental is to drive us to the fire from the frying pan and we are naturally reluctant to comply with the new demand of the factory.

"But however justified our reluctance might be the factory is not prepared to put up with it and various sorts of threats are being held out to us by the *amlas* and the creatures of the factory and our very existence is in danger and to safeguard ourselves we filed a petition before the District Officer stating the various threats held out to us as we necessarily thought ourselves to be quite unable to stand the wrath of the factory which is so fearful. The result of our petition to the District Magistrate has been that cases under section 500 I.P.C. have been started and as Your Honour might well conceive, we are quite unable to substantiate the allegation in the petition to the District Officer before the trying Magistrate in opposition to such a strong body as the factory; although our allegations are true to the letter and in one set of cases some of us have been convicted and other sets are still pending judgment and trial; but the result of these cases, as well, are a foregone conclusion under the circumstances we are surrounded by.

"It is argued that tenants are voluntarily entering into agreements for the increase of their rents, but slightly independent and unbiased judgment will establish that any such agreement on the part of the ryots cannot but be the offspring of force and coercion and the cultivation of indigo was nothing better.

"We are informed that a special Registering office ha been opened and we apprehend that our annihilation i near at hand as the establishment of such an office wi expedite greatly the registration and completion of tha undesirable agreement for the increase of the ryot's rents.

It is clear from these petitions that the complain of the tenants was that force and coercion were use in getting enhancement contracts from them. We d not know what action was taken on these petitions In answer to a question by the Hon'ble Babu Brajki shoreprasad in the Legislative Council, the Hon'bl Mr. MacPherson said as follows:

"Government has received from time to time petition purporting to be signed by the ryots of Champaran an complaining of the relations existing between them an the landlords. The petitions have been referred to th local officers for inquiry but reports have not been receive in all cases. In certain cases, the local officers have take steps to redress the grievances which have been prove to be well founded. The complete report of the local of cers is still awaited and in view of the imminence of th revision of settlement operation in the district which wi bring to light all the facts of the situation, Governmen do not consider that any Committee of inquiry is no necessary or expedient."

About this time these enhancement contract were being executed and *tawan* was being realized The Press was also commenting on this. On th 6th July 1913 the *Biharee* wrote a strong article

* "The failure of natural indigo to successfully compet with the artificial dye has seriously affected the financial pos tion of the planting community in the Tirhut division of ou province and the loss thus entailed on them has affected to large extent their relation with the tenants. We have referre to the evils of the *tinkathia* system, and how their attemp to realize *tawan* (compensation) or *sharahbeshi* (enhancemen of rent) for releasing the tenants from their obligation to grow indigo on three *kathas* out of every *bigha* of their holdings ha

on the subject. But in spite of all this Lord Hardinge was also made to grant a certificate to the planters.

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created a situation which deserves the serious attention of the Local Government. Villages in which indigo is or was grown are held either in *thica* or *mokarri*. In the former, cash compensation is being demanded which ranges from Rs. 60 to Rs. 100 per Indigo *bigha*; in the latter, enhancement of rent, as would permanently raise the income. Instances have come to light in which coercion is employed to make the tenants agree either to the enhancement of the rent or pay the cash compensation. Some of those who do not agree are harassed in various ways, till they agree to the terms imposed by the Saheb. Numerous petitions, we understand, were filed before the District Magistrate, the burden of the song in each case being 'that the tenants were not lodging formal complaints against the factories but only laying their petitions for their protection so that, they might be of use in future and in the hope that the Magistrate would use his influence with the planters.'

" And be it said to the credit of the present District Magistrate of Champaran that he has on several occasions while sending copies of such petitions to the factory managers for information, made it perfectly clear that no ryot can be compelled to pay compensation in lieu of indigo against his will, that no sort of pressure can be used to compel him. He has further added that only if the ryot has executed an Indigo *sattah* he is bound to grow indigo, and if he refuses or neglects to do so, damages can be realized by civil suit. But the payment of compensation in lieu of indigo is absolutely at the option of the ryot. Such a clear and unambiguous expression of the views which the District Magistrate entertains on the question of compensation has been a source of relief to the poor tenants. It is, however, a well-known fact that the factory managers and the European *thikadars* had been practising a sort of benevolent despotism. But it was despotism after all. The principal source of profit having almost disappeared, there has been more of despotism than of benevolence and it behoves the Government to come to the relief of the poor cultivators, for these latter in their struggle with the powerful organization

When Lord Hardinge visited Patna towards the end of 1913 to lay the foundation stone of the Patna High

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of the planters and *thikadars*, a very influential body certainly, have to face fearful odds. Sometimes petitions are submitted to the District Magistrate on which it is not possible for him to take any action. For instance, in one petition, the magistrate passed the following order: — 'The petition does not show to what public officer it is addressed. If it is addressed to the District Magistrate, it is for the petitioners to state what action they desire the District Magistrate to take and under what law. If it is intended for the Collector, I do not in the least understand what power of interference the Collector has. The petition is therefore returned to the *mukhtear* so that he may make the petition clear.' We can very well understand the difficulties of the executive head of the District, but there are various ways in which he might take action and we might be permitted to humbly suggest to him that as the head of the police, he might see that they are less subservient to the wishes of the factory managers. Police guards are placed in villages where inhabitants are said to have gone out of the hand of the factory, and the oppressions the members of this force are said to practice might well be put a stop to, and in all cases in which the District Magistrate is satisfied that wrong is being done, although he might not be able to employ the provisions of any law to punish the wrong doers, he might use moral suasion, and we are sure this will have the desired effect. Only very recently a case under section 107 Cr. P. C. was tried by the Deputy Magistrate of Motihari exercising first class powers, in which 9 persons were accused of interfering with the cultivation of *gairmazua* land belonging to the Barah factory and its outwork Gawandra factory threatening to commit violence on the servants and those of their tenants who have paid indigo compensation known as *tawan*. The case for the defence was that the said factories were demanding *tawan* from the accused and other people and are coercing them to pay by various acts of oppression and that this case has been instituted by the police at their instigation with a view to put pressure on them so that they may be compelled to pay it, and there is no apprehension of a breach of the peace on their part. Now

Court, the planters presented an address of welcome to him in reply to which he was made to say : "Today,

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the Magistrate who tried the case in the course of his judgment says : 'I have made a local inspection of the land and compared the cadastral Survey No. 1310 *Mahal* and *Mouzah* Gawandra Tola Sherpore, and it is entered in the *Khatian* as *Gair-Mazrua Rasta* (*Road*) *Chah Pokhta ek ba Kabza Malik* and it is also shown in the cadastral map as a road. I have seen several other lands. Plot No. 1681 *Mahal* and *Mouza* Gwandra, Tola Ramdiha and 1275 which the factories have dug up in order to cultivate them, and these lands are also shown in the cadastral survey *khatian* and map as road. It will therefore be seen that what the factories are anxious to cultivate are *gairmazrua* roads that is, public roads which have been used by the people as such for many years, perhaps many decades and that it has now suddenly entered their heads to dig up and cultivate them and thus stop the right of way of other people. I may say at once that the factory is not entitled to dig up, cultivate and grow crops on these roads and thus stop the traffic altogether. The chief people that are affected by this are the accused and others that have not paid the compensation or *tawan* and who have got their houses, *goushalas*, *khalihans*, *nads* etc., near them. What the factories have done is absolutely a wrongful act which is likely to provoke a breach of the peace and for which they want others to be bound down. The accused, in my opinion, were perfectly justified in resisting in the way they are alleged to have done, the cultivation of these roads by which the right of way would be stopped. I can understand no other motive on the part of the factory of selecting these roads to be cultivated first before other fallow lands (which are many) than the intention of making the existence of these accused and others that have not agreed to pay Indigo *tawan* intolerable in the village. It is a piece of extreme high-handedness on the part of the factories, to say the least of it.' In the end the Magistrate came to the conclusion, 'that the factory people have dug up the roads to grow crops thereon with a view to stop the way of the accused and others who have not paid the *tawan* in order to coerce them to submit to the factory terms and this is in my opinion at

as far as I know, the relations between the Bihar planters and their ryots are cordial and satisfactory in the North Bihar Districts."

In 1914 the Bihar Provincial Conference met at Bankipur on the 10th April. Babu Brajkishore-prasad presided over it and in his Presidential Address he said about Champaran as follows :

> "The highest officials in the land have utilized their replies to the addresses of welcome from the planting community to bestow upon them glowing panegyrics on the valuable services they are said to have rendered to Tirhut. I do not grudge the planters these eulogiums and I wish them joy. But I do maintain that there is another side of the shield and whatever good the planters might have done, their dealings with ryots have brought about a serious agrarian situation and that they have resulted in considerable suffering and misery to the poor defenceless villagers. It is well known that the ryots' allegations against the planters which have been held by Courts to be

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once unjust and unlawful and that it is they who who are provoking a breach of the peace. It is the factory servants who are doing a wrongful act and who ought to be bound down and not the accused. If any breach of the peace occurs I would hold them responsible and not the accused. I accordingly discharge the accused under section 119 Cr. P. C.' Any one who has any experience of Zamindari work will agree with us when we say that it is an ordinary practice to coerce the refractory tenants in this fashion. As the trying Magistrate found there was no other object in selecting the roads to be dug up for cultivation, roads which have been used as such for years, which were shown as roads in survey maps, except that of coercion, specially when it is pointed out that there are other fallow lands which were not sought to be cultivated. And the first effort to cultivate was made in connection with the roads where cultivation would seriously affect the accused and others who had not paid the compensation or *tawan*. Comment is superfluous and would be nothing better than an act of supererogation."

generally well founded are to the effect that they are found to execute illegal *sattas* by methods of coercion, including the institution of vexatious cases, that fines and cesses are unlawfully realized from them and that they are ill-treated if they attempt in the least to refuse compliance with the orders of the planters. So far as the execution of the *sattas* is concerned, it is strange that registration offices are opened at factories to suit the convenience of the planters. These allegations are serious enough in all conscience to merit a thorough and sifting inquiry in the interest not only of the ryots but the planters as well.... In my opinion the Government will be well advised if, far from blinking so serious a problem, they tackle it in the only way possible, namely, by appointing a small mixed Committee of qualified officials and non-officials to thoroughly investigate the matter by means of an open enquiry and by acting upon its recommendations. Otherwise, I may warn the Government that there are rocks ahead and that they had better look out."

The Provincial Conference passed a resolution recommending to the Government the appointment of an enquiry Committee. No heed was of course paid to this. *The Amrita Bazaar Patrika* and *the Bharatamitra* of Calcutta, *the Pratap* of Cawnpore and *the Abhyudaya*, of Allahabad, went on writing about Champaran from time to time and Babu Brajkishore-prasad by his questions in the Council continued drawing the attention of the Government to these articles and warning the Government about the danger of overlooking the real causes of discontent in Champaran. On the 3rd April, 1915, the Provincial Conference met at Chapra. Babu Nandkishorelal presided, and commenting on the Champaran situation, he said as follows :

"I gather that in the twelve months that have elapsed since we met last, all has not been well with the relations

between the two communities (planters and ryots). The ryots have presented petitions to the Government making very serious allegations against some of the managers of the Indigo concerns and the official reply in the Council was that the Government had 'forwarded them in original through the proper official channel for report'. This is gratifying; but one would like to know soon the result of the inquiries, or are they also to share the fate of Mr. Gourlay's Report submitted in connection with the Champaran riot of 1908 and which is popularly believed and perhaps not unjustifiably to be so damaging to the planters that the Government has not dared to publish it in spite of repeated demands in the Imperial and Provincial Councils for its publication."

He, too, like Babu Brajkishoreprasad suggested to the Government the appointment of an enquiry Committee. In this conference also a resolution recommending such a Committee was again passed. and it is worth noting that Pandit Rajkumar Shukla about whom we shall have to say a great deal later on, accompanied by many others attended this Conference as a representative of the tenants and related the story of their grievances before the Conference. The Legislative Council met in that very month and Babu Brajkishoreprasad proposed the following resolution at the meeting:

"That this Council recommends to the Lieut.-Governor in Council that a Committee of qualified officials and non-officials be appointed to make an immediate and searching inquiry into the case of the strained relations between the planters and the ryots in the District of Champaran and to suggest remedies therefor."

It need hardly be stated that the Government of Sir Charles Bayley did not accept this resolution. In reply it was said that the Government from time to time had had inquiries made by local officers and

at the time the survey and settlement of the District was going on, and whatever grievances the tenants might have would be placed before the Settlement Officer whose report would doubtless be authoritative. The representative of the planters in the Council and the Secretary of the Planters' Association Mr. Filgate quoted the encomiums bestowed on them by Lord Hardinge and said that the relation between the planters and the tenants was quite satisfactory and no inquiry was needed. Babu Brajkishoreprasad quoted the following from the *Indian Planters' Gazette*, the organ of the planters, in reply :

> " It seems certain that bad feeling has been brewing for some time between certain of the European Zamindaries at Champaran and their tenantry and that very shortly after he was appointed District Officer, Mr. Heycock found it necessary to circulate a notice amongst ryots with a view to reassure them."

No one can blame Mr. Filgate for the defence he put forward on behalf of those whose representative he was in the Council ; but it must be admitted with regret that other non-official members also in a way opposed this resolution. Some of the non-official members who knew nothing about Champaran had the temerity to advise Babu Brajkishoreprasad to withdraw the resolution. But the latter who knew a great deal about Champaran did not of course listen to this advice. He only said in reply that if the Government gave a pledge to publish the report of the enquiry which was then alleged to be made by the Settlement Officers, he might withdraw his resolution. But Sir Charles Bayley's Government did not agree even to this. It was obvious that the

report might go against the planters and the certificate granted by Sir Charles might be proved false by his own officers. If the Government had accepted Babu Brajkishoreprasad's suggestion for the appointment of an Enquiry Committee in 1913, the *tawan* would not have been realized, and both the tenants and the Bettiah Raj would have been saved this heavy fine. The Government, too, would not have had to eat the humble pie and Mahatma Gandhi would not have had to take the trouble he had to. But whatever God does, He does for the best. Possibly the enquiry and the report of the Committee, if then appointed, would not have been as thorough as they were under the Champaran Agrarian Committee of 1917, and the tenants would not have been freed from the burden of *tinkathia*. India, too, would have been deprived of the first fruit of Satyagraha, and the residents of Bihar could not have seen the burning example of the sacrifice of Mahatma Gandhi for the good of the tenantry of Champaran.

8

ABWAB

It has been said above that the soil of north-western Champaran is not fit for indigo cultivation which was never carried on in a regular way in that part; but it should not be supposed that Europeans did not establish factories there. They used to take leases of villages from the Bettiah and Ramanagar Estates and used to make their living out of them. It does not follow from this that their tenants were happy and contented. They had devised other means of making money. We have already seen how in 1907 the Sathi factory had found a substitute for indigo in *painkharcha* or water tax. Other factories also, some of which did not have indigo cultivation and some that had it, used to realize various kinds of abwab or illegal cesses. *Painkharcha* was one such abwab. It was said by factory owners that Indian Zamindars had from time immemorial realized various kinds of abwabs and that the planters had only followed their example. They also alleged that the tenants willingly paid these illegal cesses which were equal in amount to the legal rent payable by them. With regard to the villages of the Ramanagar Raj, it is said that the rent on which they had been leased to the planters includes abwab. Ever since the Permanent Settlement was made in 1793, abwabs have been declared illegal and they have been prohibited by the Government. The Bengal Tenancy Act also prohibits the realization of abwab and prescribes a penalty against a landlord who realizes it to the

extent of double the amount realized to be paid to the tenant.

Abwabs are of many kinds. Their names and mode of realization would excite laughter, if one forgot that they were the cause of untold misery to the tenant. Some of these are described below, as their mere names may not be intelligible.

(1) *Painkharcha* — means a tax or rate paid for water supplied by means of a canal for irrigation. If there were really *pains* in existence, and the tenants benefited by them by irrigating their lands with the canal water no one would object to this rate being realized. The tenants not only in Bihar but in other provinces also pay canal rates to the Government for irrigating their lands with water from Government canals; and no one raises any objection to such rates. But in Champaran this *painkharcha* was an abwab. The Sathi factory used to realize it without making any satisfactory arrangement for the supply of water. In other factories also it used to be similarly realized without any justification. In all these places the rate was Rs. 3 per *bigha*. There is a factory called Chautarwa in northwest Champaran. There are many "Dhangar"* tenants. Land is not settled there by measurement. The rent is not paid at so much per acre but so much per plough, that is, so much for as much land as can be cultivated with one plough. The system is known as *halband*. The Dhangar tenants used to pay Rs. 7-8-0 per plough as rent and an equal amount was realized as *painkharcha* from them. There is another factory

* "Dhangars" are a class of aborigines imported from Chota Nagpur and settled in Champaran.

called Madhubani which is owned by the same proprietor as Chautarwa. There is an embankment called the Piprasi Embankment. It is alleged by the factory that this embankment was made at the cost of the factory, and it is also maintained by it, and it is accordingly entitled to realize *painkharcha*, or water-rate from the tenants. No one knows what its construction cost the factory, but its upkeep does not cost more than Rs. 300 per year. The income of the factory from *painkharcha*, and an embankment cess was as much as Rs. 9,000 per year. The tenants say that the embankment was made by the Dhangars without their charging any wages from the factory! Similarly the Belwa and Naraipur factories used to realize *painkharcha*, and their allegation too, was that they had constructed canals for the benefit of tenants. The settlement officers of the Government could not discover these canals, and even where they were found, only a small portion of the lands on which *painkharcha*, was levied was benefited by them. The Bhusurari factory frankly confessed that it had no canals but it realized the *painkharcha* all the same!

Let us have the story of another factory. Its name is Sikta. The proprietor was one Mr. Thorpe. He saw that *painkharcha* might be declared an abwab and its realization stopped. He thought it safer and wiser to realize a lump sum instead. He accordingly tried to realize 6 years' *painkharcha* in one sum and succeeded in realizing it, too, from some of the tenants, but many did not pay. In the meantime the settlement officers arrived and the whole show was over. A large sum was due from this very Mr. Thorpe on account of rent to the Bettiah Raj,

and the Court of Wards remitted Rs. 80,000 at one stroke for his, it would seem, invaluable services!

(2-4) *Salami, Tinkathia* and *Lagan*, are various names for Rs. 3 per *bigha* that used to be realized over and above the rent. That it should be called *tinkathia* is very significant. It does not prove that indigo used to be grown in northwestern Champaran also under the *tinkathia* system. But tenants felt that as in eastern and southern Champaran their compatriots had to bear the burden of indigo, so also should they bear the burden of this abwab. This is well illustrated in Bhusurari factory. The factory started by realizing 3 maunds of paddy per *bigha* which it later on commuted into a cash payment of Rs. 3 per *bigha*. In the Murla and Hardia factories also this abwab was realized in this way. The tenants naturally thought that whether it was for indigo or as abwab, they had to pay to the European Planter, and it made no difference to them by what name others called it — whether *painkharcha, tinkathia, lagan* or *salami*.

(5) *Bandhbehri* — is an abwab like *painkharcha*; its rate is one anna per rupee of the rent.

(6) *Bethmafi* — We have already mentioned that in Chautarwa factory Rs. 7-8-0 used to be the rent and Rs. 7-8-0 abwab per plough. *Bethmafi* also used to be realized by that factory. The factory had some lands which used to be cultivated with the help of the ploughs of the tenants. It is said that it was very irksome to the tenants to supply their ploughs to the factory and they gladly commuted this obligation into money payment at the rate of Rs. 3 per plough. This was called *bethmafi*, i.e., an abwab paid in lieu of *beth*. The poor tenants of that factory

had thus to pay over and above their legal rent of Rs. 7-8-0 per plough, an additional Rs. 7-8-0 as *painkharcha* and Rs. 3 as *bethmafi* per plough.

(7) *Bapahi-Putahi* — When a tenant dies his son or heir has to pay a sort of death duty which is known by this name. It should be noted, however, that under the Bengal Tenancy Act the right of an occupancy tenant is heritable without any such payment but the planters would not allow the heir his legal right without this payment.

(8) *Marwach* — is a tax of Re. 1-4-0 realized at the time of the marriage of a tenant's child.

(9) *Sagaura* — was a tax of Rs. 5 realized at the time of a remarriage of a widow.

(10) *Kolhu-awan* — was a tax of Re. 1 realized for every oil or sugarcane mill.

(11) *Chulhi-awan* — In some places turmeric is cultivated in large quantities and before being placed in the market, it has to be boiled. This was a tax of Re. 1 for every oven kept for boiling turmeric.

(12) *Batchhapi* — was a tax realized from sellers of oil and milk, and the rate was Re. 1 for every pail kept by the seller.

(13) *Bechai* — used to be realized from those who sold grain and the rate was Re. 1 or Rs. 2 per year.

(14) *Phaguahi*, (15) *Dasahari* (16) *Chaitnawami*, (17) *Dawatpuja* used to be kinds of cesses realized by the planters or their employees from the tenants on the occasions of Hindu festivals of Phagua or Holi, Dasahra, Chaitnawami and Dawatpuja. It is said that some factories used to give dancing parties on the occasion of the *holi* festival. The factory employees used to enjoy the dancing and the tenants

were also invited. But whether they came or not they had to pay Re. 1 each.

(18) *Hathiahi* — There are jungles in north-western Champaran. Planters and other Europeans often go there for *shikar*. Elephants were required for these *shikars* and the planters have therefore to keep elephants. When they wanted to purchase elephants, the tenants had to raise money from among themselves under the name of *Hathiahi*, i. e. a tax for an elephant.

(19) *Ghorahi*, (20) *Motorahi*, or *Hawahi*, (21) *Nawahi* — used to be similar exactions to enable the planter to purchase a horse, a motor car or a boat.

(22) *Ghawahi* — If the planter fell ill, his loyal tenant, had to find the money for his treatment. It is said of one planter that he had a sore which required operation and treatment for a pretty long time. This involved much expense which was realized from tenants under the name of Ghawahi i. e., a tax to meet the expenses of the treatment for a sore.

(23) *Amahi*, (24) *Katahalahi*, — When there was a bumper crop of mangoes and jack fruits, the factory ordered the mangoes and jack fruits to be distributed among tenants. If any one had the temerity to refuse this favour, he incurred the wrath of the Sahib. But the mangoes were soon followed by the factory peon to realize their price. The price was, however, not settled according to the market rate but varied with the capacity of the tenant to pay.

(25) *Amadi Salami* — If the planter or any big officer of the factory visited a village, the tenants

must of course appear before him to pay his respects to him. But how could that be done empty-handed? Therefore even if a tenant did not care to present himself but deposited Re. 1 with the factory servant, all would be well with him; otherwise he was taught a lesson in manners.

(26) *Rasid-awan*— was paid to the village officer at the rate of one anna per every receipt he issued for rent realized from the tenants.

(27) *Farkhawan*—was a similar tax to be paid by the tenant for an acquittance receipt granted at the close of the year as proof of the payment of the rent for the year in full. Its rate varied from 8 annas to one rupee for every tenant.

(28) *Dasturi*, (29) *Hisabana*, (30) *Tahrir*, (31) *Dewan dasturi*— used to be various kinds of cesses realized from the tenants at the rate of 6 pies to one anna per rupee of their rent. The amount realized under this head used ordinarily to go to the pockets of the factory servants but in some cases the factory took hold of this also.

(32) *Bisahi*, *Pandrahi*, *Dasahi* —It has been pointed out already that the Sikta factory, some time before the settlement proceedings, tried to compound the abwab by realizing it for several years in one lump. It is said by the tenants that in Chautarwa factory abwab was realized for 20, 15 or 10 years in one lump sum. Those tenants who could not pay in cash had to execute hand notes as was done in the case of *tawan* It was realized on the pretext of releasing the tenants from the obligation to pay abwab just as *tawan* had been realized on the pretext of releasing them from the obligation to grow indigo.

There were several other kinds of abwabs, e.g., (33) *Mahapatri*, (34) *Raj-ank*, (35) *Mukhdekhi*, (36) *Diwanbheti*, (37) *Gurubheti*, (38) *Jangla isimnavisi*, (39) *Dahicheoraha*, (40) *Jamunahi*, etc.

These were all abwabs. But apart from these all the planters, whether they were actual planters as in eastern or southern Champaran or only lessees as in northwestern Champaran, used to realize fines. Many of the planters admitted this before the Agrarian Commission, but said that only small amounts used to be realized and out of the sum realized a part was kept by the factory and a part paid to the complainant as damages.

The tenants mentioned a punishment with a peculiar name. If a woman goes wrong with a man, the latter, if discovered, is punished. This punishment is called *Singarhat*. It is said that this is prevalent in Nepal also. The factories used to realize decent amounts under this head of *singarhat*. From the names of abwabs mentioned above it is clear that the planters know how to extract money from tenants on some pretext or other. But it will not be right to think that every tenant had to pay each and every kind of abwab every year. Some of these were doubtless realized every year — some on special occasions and some from particular tenants. It is the opinion of the Settlement Officer that the incidence of abwab was equal to the legal rent, that is, every tenant had to pay double the amount he was legally liable to pay.

The planters say that these abwabs have come down from time immemorial, and that the leases to them are on a system of rackrenting leaving no margin of profit to them unless they realize abwab. They also say that in some cases the rent payable by

them from their leasehold exceeds that realizable by them from the tenants and in some cases abwabs are actually mentioned in their leases. How then, they argue, can they do without realizing these abwabs? Mr. Ammon, the Manager of the Belwa Factory, and who has the reputation of being a *zabardast* planter, said in his evidence in defence of abwab before the Commission — "Is the *thikedar* to blame for collecting these abwabs, for the *thikedar* is paid to squeeze and must squeeze to pay." It is however not true to say that the leases would not be profitable without these abwabs.

Mr. J. A. Sweeney, the Settlement Officer, proved this fact before the Commission regarding the Bettiah and Ramanagar leases. The Bettiah Raj pays 10 p. c. as commission to lessees. As regards the Ramanagar Raj villages, he showed by calculation that for 79 villages which were in lease the lessee had to pay Rs. 40,809 as rent to the Raj, but that he was entitled to realize only 40,547 as rent from the tenants, that is, less than what he had to pay. But if the income derived from the *bakasht* and *hunda* lands be added to the rent realizable, then the total income would come to Rs. 70,700, that is a clear profit of Rs. 30,000 which works out at the rate of 75 p. c. as commission for collecting the rent from the tenants. The readers should remember that apart from this the lessee realized abwab which also was equal to the legal rent, that is 40,000. It should, however, be added that the lessee had to pay a heavy premium at the commencement of the lease, but that of course is nothing when compared with 75 p. c. for collection charges and the 100 p. c. abwab on the legal rental.

The tenants had sent petitions to the Government and Government officials about these abwabs, and when Babu Brajkishoreprasad moved a resolution in the Legislative Council for the appointment of an Enquiry Committee, the Hon'ble Mr. Levinge, who spoke on behalf of the Government, pointed out that Babu Brajkishore had made a mistake in treating all Europeans in Champaran as planters, whereas many of them had never cultivated or manufactured indigo at all. He also stated that the petitions of the tenants from the northwestern portion of Champaran were not about indigo but about abwab, and therefore they furnished no ground for holding any enquiry so far as the indigo planters properly socalled were concerned. He further stated that these petitions about abwab had been forwarded to local officers for inquiry. No doubt this criticism of the Hon'ble Mr. Levinge was literally true, but the fact remains that the tenants of Champaran do not make any distinction between an indigo planter and an European who extracts abwab from them. To them both represent one and the same thing — a money extracting agency.

The District Collector held enquiries on the basis of these petitions and as a result issued a notice on the 18th May, 1914, to the effect that with regard to the complaints of the tenants that the Chautrawa Factory was demanding Rs. 15 per *bigha*, the factory had assured him that this demand was not made and that the tenants should not pay it, even if the demand was made. The tenants of Belwa, Sikta Chautrawa, Madhubani, and Naraipur went on submitting such petitions complaining about abwab to the Collector, the Commissioner and the Lieut.-

Governor of the Province. But this grievance was not fully dealt with until the Settlement Proceedings when Mr. Sweeney after a thorough enquiry submitted a report in June, 1915. The complaints of the tenants were mostly found by him to be true in this report, and orders were issued to stop realization of abwabs. In the villages of the Bettiah Raj collection of abwab was stopped after the issue of these orders, but it continued in the villages of the Ramanagar Raj.

9
SURVEY AND SETTLEMENT

The readers will remember that Babu Brajakishoreprasad had proposed the appointment of a Committee to inquire into relations between the planters and their tenants. The Hon'ble Mr. Levinge had in reply said that such a Committee was unnecessary as the Government had deputed officers for a revisional survey and settlement of the District and that these officers would listen to and inquire into the grievances of the tenants, and that the Government would take such action as was deemed necessary on the receipt of the report of the Settlement Officer. This work of Revisional Survey and Settlement started in Champaran in 1913.

The Settlement Officer held a sifting inquiry into the question of abwab, and it is no exaggeration to say that if he had not dealt with this question as thoroughly as he had done, Mahatma Gandhi's work would have been even more difficult than it was. The Settlement Officer openly declared the *painkharcha* to be an illegal abwab and told the tenants that they

could not be legally compelled to pay it. His subordinates held detailed inquiries from village to village as to what large and small canals there were and as to their capacity to irrigate the lands of the tenants and the amounts realized from them. It is said that one officer ordered that water should be allowed to flow freely to see how far it could irrigate the lands and he himself waited there to see the result. But in spite of all the efforts of the factory employees, the water could not go far, and thus the officer saw with his own eyes the inequity of the *painkharcha*. He reported to the Settlement Officer that this *painkharcha* was altogether illegal and the latter verified this report by his own personal inquiries. On his report the Government ordered this realization to be stopped. This was stopped soon in the Bettiah Raj, which being under the Court of Wards, is directly in Government control but the lessees of the Ramanagar Raj continued realizing it. The tenants of some villages, however, became emboldened and refused to pay it ; but wherever the lessees could get the upper hand, they realized it. The readers will also recollect that under the Bengal Tenancy Act a person who realizes abwab is liable to pay double the amount realized by him as penalty. But no steps were taken to enforce the law even against such of the planters as admitted having realized abwab. We do not know who is responsible for this. The Settlement Officer deserves the thanks of all for the action he took in stopping abwab. He acted very impartially and boldly in this matter.

This is what happened in north-western Champaran. There were no abwabs on such extensive scale in south-eastern Champaran. There the trouble

was about *tinkathia, sharahbeshi* (enhancement of rent) and *tawan.* The Settlement Officer had not the power to do anything about *tawan,* that used to be realized from the tenants. and he had no authority to interfere. But the question of *tinkathia* and *sharahbeshi* came up before him. It has to be stated with regret that in dealing with these questions he did not act with the same circumspection and care as he had shown in dealing with abwab.

The tenants stated before him that enhancement agreements were forcibly taken from them. He decided that coercion was not proved. It was argued on behalf of the tenants that these agreements were illegal under the Bengal Tenancy Act. He held that most of them were valid. The decision cannot be said to be impartial or just ; for, as has already been mentioned, in deciding nine cases of the Turkaulia factory, the munsiff took several months. The Settlement Officer decided 25 to 30 thousands of such cases within a few months. Then again in 5 out of the 9 cases of Turkaulia, these agreements were held to be invalid and their validity was upheld only in four of them. But the Settlement Officer had held most of them to be valid in favour of the planters. One thing more deserves to be mentioned. When it was proved that the agreement for enhancement was taken under undue influence or coercion and was consequently invalid, the Settlement Officer recorded it in the Record of Rights of the tenants that they were under an obligation to grow indigo in 3 *kathas* for every *bigha* of their holding, which in other words was only placing a weapon in the hands of the planters to oppress the tenants. It is not intelligible to ordinary men that tenants who had been fighting

against *tinkathia* for generations and who had almost gained a victory, would easily give away the fruits of their victory and agree to compromises. But the Settlement Officer recorded a large number of such compromises and enhanced their rents. The result naturally was that there was great discontent among tenants who had become desperate. They had hoped that the settlement officer deputed by the Government would redress their grievances; but when they were disappointed even by him, their miseries became unbearable. Champaran was seething with this discontent when Mahatma Gandhi arrived on the scene.

It must be admitted that the Settlement Officer can justly lay claim to the credit of having put a new life into the tenantry of Champaran. The tenants learned to talk face to face to the planters in these Settlement Courts. It was in these courts that the tenants could see that the planter and the Government were not interchangeable terms, and that even such a thing as a decision against a planter was possible. No wonder then that, when Mahatma Gandhi arrived, they came in their thousands to him to tell him their woeful stories.

We have no doubt whatever that the decision of the Settlement Officer regarding *sharahbeshi* was wrong. But it is a question on which there is room for difference of opinion. To err is human, and even if the Settlement Officer erred, as we have no doubt he did, we cannot lay any blame on him.

The Settlement Officer decided another matter also. Whenever the tenants of Champaran have tried to free themselves from the planter tyranny, the planters have always alleged that the tenants are

quite happy, that the relations between them and their tenants are cordial, and that it is only under the instigation of outsiders or of self-seeking men of Champaran that at times these happy and contented tenants get out of hand ; so that if these instigators are got out of the way, all will be well. The Government also often accepted this story of the planters. But we have seen that whenever an inquiry has been held, no instigator has been discovered, while the allegations of the tenants have almost always been found to be true.

When Mahatma Gandhi arrived in Champaran, not only the planters but some Government officers also trotted out the same old story of an agitation manufactured by outside agency, but we shall presently see how they failed in their attempt to side-track the inquiry.

10

THE ADVENT OF MAHATMA GANDHI

The thirty-first session of the Indian National Congress met at Lucknow in December, 1916. About 2,300 delegates from various parts of India attended it. After the split at Surat, Lokamanya Tilak for the first time attended the Congress with his followers. The Deccan and Sindh camps were full. The number of delegates from Gujarat, Madras and the Central Provinces was also considerable. For U. P. people to attend in large numbers was no matter of surprise, as the Congress was held in their Province. Mrs. Annie Besant with her followers came from Madras. Bengal had also sent a large number of delegates

with the President. Even Bihar was awake and sent a large contingent of delegates. The reason for this was that it was proposed to place some important resolutions before the Congress on behalf of Bihar. Mahatma Gandhi accompanied by his son had also come from Gujarat and had taken his residence in a camp near the pandal.

It was proposed to place two resolutions on behalf of Bihar. One regarding the Patna University Bill, and the other regarding the relations between the planters and their tenants of Champaran. Before placing this last resolution before the Subjects Committee some people saw Mahatma Gandhi, Pandit Madanmohan Malaviya and other leaders and discussed the matter with them. Pandit Malaviya knew something about it but Mahatma Gandhi knew absolutely nothing. When the names of speakers on the resolution were being selected in the Subjects Committee Bihar delegates requested Mahatma Gandhi to speak, but he said that he knew nothing about the matter, and unless he made himself acquainted with the situation, he would say or do nothing. The burden of proposing the resolution fell upon Babu Brajakishoreprasad. On the second day of the session the following resolution was proposed before the Congress.

> "The Congress most respectfully urges on the Government the desirability of appointing a mixed Committee of officials and non-officials to inquire into the causes of agrarian trouble and the strained relations between the Indigo ryots and the European Planters in North Bihar and to suggest remedies therefor."

It is worth mentioning here that it was perhaps the first time in its history that the Congress had to listen to the grievances of the tenants from the lips

of a tenant. The tenants of Champaran had sent Pandit Rajkumar Shukla as their representative to the Congress and he, in supporting the resolution, related the miserable plight of the Champaran tenantry.

It was the desire of Bihar and particularly Champaran delegates that Mahatma Gandhi should visit Champaran and see with his own eyes the pitiable condition of its people and devise means for improving it. Some people had also sent a letter to him, and one gentleman had even seen him at Ahmedabad in this connection. But on account of want of time Mahatma Gandhi had not been able to comply with their request. After the above resolution was adopted by the Congress, the Bihar delegates approached him and pressed him to come to Bihar. He promised he would try to come about following March or April. People were very much satisfied and on their way back some people accompanied him to Cawnpore and further related to him the woeful story of the tenants. His heart melted and he consoled them. They came back to Champaran full of hope and began to count the days of his advent.

After returning from Lucknow a letter was again sent by Pandit Rajkumar Shukla on behalf of the tenants on the 27th February, 1917.

Mahatma Gandhi wrote in reply that he would be in Calcutta on the 7th March and enquired where Rajkumar Shukla could meet him. On account of some mistake of the post office the letter unfortunately did not reach Rajkumar Shukla till after the 7th March. He had however received information that the Mahatma had gone to Calcutta but on arriving there he learnt that the Mahatma had already left the

place for Delhi. Rajkumar Shukla returned to Champaran and wrote again to Mahatma Gandhi and received a reply on the 16th March, 1917, saying that the Mahatma would take the earliest opportunity of visiting Champaran. On the 3rd April, 1917 Mahatma Gandhi wired to Rajkumar Shukla that he was going to Calcutta where he would stay with Mr. Bhupendranath Basu and asked Rajkumar Shukla to meet him there. On receipt of this telegram Rajkumar Shukla went to Calcutta and met the Mahatma there. No one in Bihar knew anything about all this at the time, so much so that some members from Bihar were present at the meeting of the All India Congress Committee to attend which Mahatma Gandhi had gone to Calcutta, but as it was not known that he was proceeding to Champaran from Calcutta, no one had any talk with him. Rajkumar Shukla, too, did not meet any of the Bihar members who consequently remained utterly ignorant of Mahatmaji's intended visit.

Mahatma Gandhi started on the 9th April, 1917, with Shuklaji and arrived at Patna on the 10th April, 1917. Shuklaji took him straight to the house of the writer. The writer was absent in Calcutta for the meeting of the All India Congress Committee and had proceeded from there to Puri and had not returned till then to Patna. There was only a servant in the house. He did not recognize the distinguished guest and treated him as an ordinary visitor. The Mahatma stopped there for a short while. When news of his arrival reached Mr. Mazharul Haque he came and took the Mahatma to his house. The Hon'ble Babu Krishnasahay also came and saw the Mahatma there. The latter had decided to proceed

to Muzaffarpur the same evening and sent telegraphic information to Mr. J. B. Kripalani who was at the time, a Professor in the G. B. B. College, Muzaffarpur. Mahatmaji started in the evening with Shuklaji for Muzaffarpur. The train reached Muzaffarpur at 10 o'clock at night. Professor Kripalani had received the telegram and was present at the station with some of his students to receive Mahatmaji. Although there had been correspondence between Mahatma Gandhi and Professor Kripalani they had never met before. No one could recognize him, but when Pandit Rajkumar Shukla saw the crowd of people he understood that they must have come to receive the Mahatma and he called them and showed the great man to them. People gave a reception at the station, took his *arti*, and dragged his carriage. Mahatmaji stopped with Professor Kripalani in his hostel.

On the 11th April, 1917, Mahatma Gandhi saw Mr. J. M. Wilson, the Secretary of the Planters' Association, explained to him the object of his visit, told him that he had come to inquire into the causes of the misunderstanding between the tenants and the planters, and asked for his help in his inquiry. Mr. Wilson told him that he would give such assistance as he would be able to render in his personal capacity but he could not take any responsibility on behalf of the Association. The same evening a number of *vakils* of Muzaffarpur came to see Mahatmaji. One of them pressed Mahatmaji to proceed to Champaran at once. Mahatmaji agreed. On the 12th April, 1917, Mahatmaji sent intimation of his arrival to the Hon'ble Mr. L. F. Morshead, the Commissioner of the Tirhut Division, and informed him

of the object of his visit and asked for an appointment to meet him. On the same day Mr. Wilson wrote to Mahatmaji saying that no inquiry was needed and advised him not to go to Champaran. He also said that if Mahatmaji commenced this work during war time, self-seeking agitators would utilize the opportunity for their selfish ends which might do more harm than good to those to help whom he came. Babu Brajakishore arrived at Muzaffarpur from Darbhanga the same evening. On the 13th April, 1917, Mahatmaji saw the Commissioner. Mr. D. Weston, the Collector of Muzaffarpur, was also present there. The Commissioner expressed his disapproval of Mahatmaji's visit to Bihar and inquired who had brought him there. He also told him that inquiry was being made on behalf of the Government ; that Mahatmaji's visit was unnecessary ; that he would not give any assistance to him in his inquiry and finally advised him to go away at once. Mahatmaji told him in reply that he had been receiving letters from the people for a long time but he could not produce them before him ; that at the last Congress the delegates from Bihar had asked him to move a resolution at the Congress regarding Champaran but that he had refused to do so on the ground that he would not make himself a party to it unless he had seen things with his own eyes ; and that thereupon the delegates had asked him to visit Champaran and he was accordingly there.

Mahatmaji was not likely to change his decision on account of this conversation with the Commissioner. The more the Secretary of the Planters' Association and the Commissioner persisted in their advice to him not to visit Champaran, his suspicion

that there must be something wrong became deeper and his determination to go there more and more confirmed. The Mahatma could see after this interview that the planters and the local officials could not help him in his inquiry but might put obstacles in his way.

After his return from the Commissioner's house Mahatmaji asked some prominent delegates to the Lucknow Congress to give him a letter to the effect that they and some other delegates from Bihar had requested him at the Congress to hold an inquiry in Champaran. Along with this letter he sent a letter of his own, saying that he had come to find the truth with regard to the relation between planters and the ryots in view of certain statements which had been made to him. That was the only object of his visit and all that he wanted was peace with honour.

The news of Mahatmaji's arrival had already reached Champaran and a large number of tenants came all the way to Muzaffarpur. Mahatmaji listened to their story and perused such papers as he could get. He had not upto this time formed any idea as to the true situation in Champaran and at times it seemed that he was not inclined to believe all that he was told. He used sometimes to ask, "Is it possible? Can this be true?" But at the same time his resolve to go to Champaran was becoming more and more firm.

On 14th April, 1917, he decided to start for Champaran on the following day (Sunday, the 15th April, 1917) by the midday train and he asked those who were present there to give him some one who could act as interpreter, as he could not understand the dialect of the village people. It was decided

at the time that arrangements should be made for this. In the evening of the same day he visited a neighbouring village and saw the condition of the people there. He entered the huts of some poor men, saw how they were living there and talked to little children and women. When he was leaving the village he said that India would get Swaraj only when the condition of these people would improve. The same evening it was decided that Babu Dharanidhar and Babu Ramnavmiprasad, pleaders, would accompany Mahatmaji to Champaran. The conversation which Mahatmaji had that night with the people there greatly encouraged and inspired them. He related to them his South African experiences; how when one man was sent to jail, others used to take his place and how when he was also removed his place was taken by another and so on. He said, "I wish that work should be done in the same way here. I know that these people (planters and Government officials) would act harshly towards me and a warrant for my arrest may come any moment. I am therefore anxious to reach Champaran as quickly as possible, so that whatever action they may have to take against me, may be taken in the midst of the ryots of Champaran. I know that in Bihar I cannot get men of this type; those who will accompany me will only act as clerks and interpreters; as for the rest we shall see later."

On the 15th April, 1917, Mahatmaji accompanied by Babus Dharanidhar and Ramnavmiprasad started by the midday train for Motihari. He was from his very start expecting a warrant of arrest. With the exception of a few necessary articles he had put the rest of his luggage separately in a trunk.

A large number of gentlemen came to see him off at the station. On the way at almost every station a large number of tenants had assembled to greet him. Mahatmaji reached Motihari at 3 o'clock in the afternoon and went straight to the house of Babu Gorakhprasad, pleader, where he stopped. The news of his arrival spread through the town in no time, and a large crowd assembled there. Many Government servants also came to see him ; but finding the Police there these retraced their steps. Mahatmaji immediately decided to visit a village, Jasaulipatti, on the next day (16-4-'17), from where news of oppression on a respectable farmer had been received ; and the other tenants were informed that their statements would be recorded on the following Thursday after his return from Jasaulipatti.

Arrangements were made for taking Mahatmaji to Jasaulipatti on the 16th April, and accordingly, Mahatmaji and his two interpreters started for Jasaulipatti about 9 a.m. on an elephant. It was the month of Baishakh ; the sun was hot and there was strong westerly wind, and one got almost scorched in the open. Mahatmaji was not used to riding an elephant ; then there were three men on the elephant and to add to all the strong west wind was actually causing a shower of dust and sand ; but in the Mahatma's heart there was burning a fire to see and to redress the miseries of the ryots, compared with which the outward heat of the sun and the dust and sand were nothing. On the way they were talking on various subjects and topics. One of the subjects discussed was the '*purda*' system in Bihar. He said : "It is not my desire that our women should adopt the western mode of living ; but we must realize

what harm this pernicious system does to their health and in how many ways they are deprived of the privilege of helping their husbands." By 12 o'clock noon they had travelled about 9 miles from Motihari and reached a village called Chandrahia. Mahatmaji desired to see the condition of the village. On enquiry it was ascertained that it was one of the villages of the Motihari Factory and the majority of its residents were labourers, who had all gone to the factory for work. They however met a man who explained to them the condition of the village and boasted that even the Collector of the District dared not do anything against the Sahib, the Manager of the Factory. It appeared from his talk that he was connected with the factory. While this conversation was going on, a man in ordinary plain clothes was seen coming on a bicycle. He was a Police Sub-Inspector. He told Mahatmaji that the Collector had sent *salaams* to him (a police form of asking for an interview). Mahatmaji asked him to arrange for a conveyance and told his companions, "I was expecting that something of this sort would happen. You need not mind it. You proceed to Jasaulipatti and do the work there. If necessary you may stop there for the night also." The Sub-Inspector brought a bullock cart and Mahatmaji started in it for Motihari, while his two companions proceeded to Jasaulipatti.

On the way Mahatmaji came across an *ekka* and on the request of the Sub-Inspector, he left the cart and took the ekka. When they had gone a short distance a police officer was seen coming on a *tamtam* and Mahatmaji was taken from the ekka to the *tamtam*. The police officer who had come in the *tamtam*

was the Deputy Superintendent of Police. When they had gone a little further, he stopped the *tamtam*, showed a notice to Mahatmaji, who quietly read it and after reaching Motihari, gave him a receipt for it. The notice was as follows:

To

Mr. M. K. Gandhi

At present in Motihari.

Whereas it has been made to appear to me from the letter of the Commissioner of the Division, copy of which is attached to this order, that your presence in any part of the District will endanger the public peace and may lead to serious disturbance which may be accompanied by loss of life and whereas urgency is of the utmost importance;

Now therefore I do hereby order you to abstain from remaining in the District, which you are required to leave by the next available train.

W. B. Heycock,

Dist. Magistrate,

16th April, 1917. Champaran.

To the notice was annexed a copy of a letter from the Commissioner which was as follows:

To

The Dist. Magistrate of Champaran.

Sir,

Mr. M. K. Gandhi has come here in response to what he describes as an insistent public demand to inquire into the conditions under which Indians work on indigo plantations and desires the help of the local administration. He came to see me this morning and I explained that the relations between the planters and the ryots had engaged the attention

of the administration since the sixties, and that we were particularly concerned with a phase of the problem in Champaran now; but that it was doubtful whether the intervention of a stranger in the middle of the treatment of our case would not prove an embarrassment. I indicated the potentialities of disturbance in Champaran, asked for credentials to show an insistent public demand for his inquiry and said that the matter would probably need reference to Government.

I expected that Mr. Gandhi would communicate with me again before he proceeds to Champaran but I have been informed since our interview that his object is likely to be agitation rather than a genuine search for knowledge and it is possible that he may proceed without further reference. I consider that there is a danger of disturbance to the public tranquillity should he visit your District. I have the honour to request you to direct him by an order under section 144 Cr. P. C. to leave it at once if he should appear.

I have the honour etc.
L. F. Morshead,
Commissioner of the Tirhut Division.

Mahatmaji immediately on his arrival at Motihari sent the following reply to the Magistrate:

Sir,

With reference to the order under section 144 Criminal Procedure Code just served upon me I beg to state that I am sorry that you have felt called upon to issue it and I am sorry, too, that the Commissioner of the Division has totally misinterpreted my position. Out of a sense of public responsibility, I feel it to be

my duty to say that I am unable to leave the District but if it so pleases the authorities, I shall submit to the order by suffering the penalty of disobedience.

I must emphatically repudiate the Commissioner's suggestion that my object is likely to be agitation. My desire is purely and simply for a genuine search for knowledge. And this I shall continue to satisfy so long as I am free.

16th April, 1917. M. K. Gandhi.

Mr. H. S. Polak, Pandit Madanmohan Malaviya and other leaders of India as also the writer were informed of what had happened by telegrams and Mr. C. F. Andrews was wired to come at once.

Mahatmaji prepared a number of directions for the guidance of those who were to carry on the work after him.

Babus Dharanidhar and Ramnavmiprasad on the other hand reached Jasaulipatti at about 3 p m and after recording the statements of some men returned to Motihari and learned about the notice under section 144 Criminal Procedure Code. Mahatmaji gave them a copy of the directions he had prepared and explained to them in detail how the work would have to be conducted after his imprisonment. He also told them that if they followed him to jail, then his mission would be successful in no time.

The next day (Tuesday 17-4-'17) had already been fixed for recording the statements of tenants. Accordingly many tenants came to Motihari and their statements began to be recorded. The Police Sub-Inspector also arrived on the scene and began to note down the names of the tenants who gave statements at first stealthily and after a time openly.

Such large numbers of tenants had come that gentlemen who were recording the statements had not even a moment's rest throughout the day. Mahatmaji of course knew that he would have to go to jail for disobeying the order. He consequently did not allow the work in any way to suffer, nor was any mention made to the tenants of what had happened. On the same day it was decided that village Parsauni about 16 miles to the south of Motihari would be visited on the following day and information was sent accordingly. Conveyance was also arranged. The idea was to start at about 3 a.m. and if there was any delay or difficulty in getting the conveyance to go walking on foot.

While the arrangements were being made, telegrams were pouring in from all parts of India. Mr. Polak wired from Allahabad that he would reach Patna the same evening. Mr. Mazharul Haque wired his readiness to start, if required. Mahatmaji's reply to Mr. Haque's telegram was that Mr. Haque's presence would be required after his imprisonment. The writer was informed to come at once with volunteers. Pandit Malaviya wired for information and expressed his willingness to come, leaving the Hindu University work. The reply to him too was that his presence was not yet needed. The work of recording the statements of tenants went on the whole day.

When no summons was received upto the evening about any charge of disobedience of orders, Mahatmaji wrote a letter to the District Magistrate in which he intimated to him his intention of visiting village Parsauni on the next day. He also told the Magistrate that he did not intend doing anything secretly. It would therefore be better, if a police

officer accompanied him. Immediately on receipt of the letter the Magistrate wrote to him that he would be charged with an offence under section 188 I. P. C., that a summons would be issued against him and that the Magistrate hoped that he (Mahatmaji) would not leave Motihari. Shortly after this letter was received, the summons also came calling upon Mahatmaji to appear before the Sub-divisional Officer on the 18th April, 1917, at 12-30 p.m. After this Mahatmaji further discussed the situation with his co-workers. It was first considered that they should stick to their programme and go to Parsauni. But later on it was thought that it was not necessary to do so. Mahatmaji asked them — " What will you do after I am sent to jail ? " The question was a difficult one and not easy to answer. Babu Dharanidhar said, " For the present I am only prepared for this that when you are sent to jail I will continue the work and if a notice under section 144 is served on me also, I will arrange for a substitute and leave the District. In this way the work will be continued at least for some time." Mahatmaji did not appear to be satisfied with this answer any more than his co-workers who went on considering and discussing this matter between themselves for the whole night. After summons had been served Mahatmaji felt quite contented and happy and sat down to write letters. He went on working the whole night without any rest at all. Mahatmaji in the course of the same night prepared a statement to be read before the Court. He also wrote letters to the Secretary of Planters' Association and the Commissioner in which he recounted in so far as he had come to know them, the grievances of the tenants and suggested the remedies ; he gave

instructions that these and some other letters which he wrote should be posted only after his imprisonment.

The writer after receiving the telegram at Patna saw the principal publicists there and explained to them the situation that had arisen in Champaran. He also sent a telegram to Babu Brajakishore informing him of the proceedings under section 144. A telegram was received at Patna from Mr. Polak, that he would reach Patna the same evening by the Punjab Mail. In the evening a sort of small conference was held at Patna in which it was decided that Mr. Polak, the writer and such other persons as could be found, should start the next day (18-4-'17) by the morning train for Motihari. It was expected that Babu Brajakishore would also arrive by the same morning train.

The 18th of April, 1917, is a memorable day in the history not only of Champaran, but of the whole of India. It was on this day that Mahatma Gandhi was preparing himself to go to jail for the sake of the poor and suffering people of the province of Bihar. On this day the whole of India was to get her first lesson and her first modern example of Satyagraha which was to open new flood gates of light and of vision before her. It is an old saying that no harm can come to the true, but a practical demonstration of this was to be given to the world on this day by Mahatma Gandhi. Ready and determined to remove the grievances of the tenants, and equally determined to do no injury to those who had been oppressing them, it was, as it were, the great soul of Mahatma Gandhi was born in human shape to reconcile these apparently irreconcilable elements. Could any obstacles bar the path of such a man ?

The eyes of all India from one end to the other were turned towards Champaran. Time passed, as if almost unnoticed, and it was about 12 noon. Mahatmaji separated those of his things which he wanted to take with himself to jail from those which he wanted to leave behind, and kept the latter in a separate place. The work of recording statements was also stopped today and the tenants were told that this work would commence again on the following day. At quarter past 12 Mahatmaji accompanied by his two interpreters started in a carriage for the Court. On the way Babu Dharanidhar told Mahatmaji that he and Babu Ramnavmi had decided to follow him to jail, even though others might not. Mahatmaji felt very much pleased and said with joy — "Now I know we shall succeed."

Although no information had been given to the tenants about the proceedings under section 144 and subsequent prosecution, yet the news had somehow reached not only every corner of the town but even distant villages and several thousand tenants had assembled in the Court compound and were waiting for Mahatmaji from 10 o'clock. Their own desire was to have a look at the man who was going to jail in order to relieve their distress. When Mahatmaji entered the Court room, he was followed by about 2,000 men who, in their anxiety to get in, broke the glass-panes of the doors. The Magistrate seeing the great crowd asked Mahatmaji to wait for a little while in the Mokhtiars' library. Mahatmaji went to the library while the Magistrate sent for armed police to prevent the people from entering the Court-room and to prevent any disturbance in his work. Mahatmaji

was surrounded in the library by a large crowd of people, the eyes of all of whom were fixed on him, while tears were streaming down the cheeks of many of them. Shortly afterwards Mahatmaji was sent for and went to the Magistrate's Court-room. There the Government pleader was ready with his books of law and precedent. He had perhaps thought that he was going to prosecute a great man like Mahatma Gandhi who had himself been a famous lawyer and he expected that there would be a very long and learned argument. He had possibly not slept the previous night, looking up precedents and law reports. When Mahatmaji arrived, the Magistrate asked him, "Have you got any pleader?" and the short reply was "No, none." Some people were surprised, but still they thought that having been a great advocate he would himself argue his case. The Government pleader opened the case and stated that under orders issued under section 144 Mr. Gandhi ought to have left Champaran on the night of the 16th April, but that he had not yet done so and he was consequently charged with an offence under section 188 I. P. C. Mahatmaji said that on receipt of the order he had sent a reply to the Magistrate in which he had stated his reasons for disobeying the order and he wished that the letter should be placed on the record. The Magistrate said that the letter was not there and if Mahatma Gandhi thought it necessary, he might apply for it. Thereafter Mahatma Gandhi read out his statement in a firm, calm and determined voice. While he was reading it there was pin-drop silence in spite of the large crowd that was present there, and all eyes were fixed on him, and as he proceeded wonder and unspeakable love became depicted on

the faces of the audience. The statement was as follows:

"With the permission of the Court I would like to make a brief statement showing why I have taken a very serious step of seemingly disobeying the order made under section 144 of Cr. P. C. In my humble opinion it is a question of difference of opinion between the local administration and myself. I have entered the country with motives of rendering humanitarian and national service. I have done so in response to a pressing invitation to come and help the ryots, who urge they are not being fairly treated by the indigo planters. I could not render any help without studying the problem. I have, therefore, come to study it with the assistance, if possible, of the administration and the planters. I have no other motive and cannot believe that my coming can in any way disturb public peace and cause loss of life. I claim to have considerable experience in such matters. The administration, however, have thought differently. I fully appreciate their difficulty and I admit, too, that they can only proceed upon information they receive. As a law-abiding citizen my first instinct would be, as it was, to obey the order served upon me. But I could not do so without doing violence to my sense of duty to those for whom I came. I feel that I could just now serve them only by remaining in their midst. I could not therefore voluntarily retire. Amidst this conflict of duty I could only throw the responsibility of removing me from them on the administration. I am fully conscious of the fact that a person, holding in the public life of India a position such as I do, has to

be most careful in setting examples. It is my firm belief that in the complex constitution under which we are living the only safe and honourable course for a self-respecting man is, in the circumstances such as face me, to do what I have decided to do, that is, to submit without protest to the penalty of disobedience.

"I venture to make this statement not in any way in extenuation of the penalty to be awarded against me, but to show that I have disregarded the order served upon me not for want of respect for lawful authority, but in obedience to the higher law of our being, the voice of conscience."

Till now the Government pleader had been expecting that Mahatmaji would offer defence. It may be stated here that order under section 144 was wholly illegal. It is the opinion of many lawyers of note, that if the case had been argued and even if the Magistrate had convicted Mahatmaji, he would surely have been acquitted by the High Court. The Government pleader had anticipated this difficulty and had brought books to meet it as best as he might. The Magistrate could not make up his mind what to do next. He repeatedly asked Mahatmaji, if he pleaded guilty. Mahatmaji's reply was "I have said whatever I have to say in my statement." The Magistrate said that that did not contain a clear plea of guilty. Mahatmaji thereupon, said, "I do not wish to waste the time of the Court and I plead guilty." This put out the Magistrate still further. He told Mahatmaji, "If you leave the District now and promise not to return, the case against you would be withdrawn." Mahatmaji replied, "That cannot be. Not to speak of this time alone, I shall

make Champaran my home even after my return from jail."

The Magistrate was dumb-founded and could only say that the matter required consideration and that he would pass orders later at 3 o'clock. The whole of this memorable trial was over in about half an hour's time and Mahatmaji was about to return to his lodgings when the Deputy Superintendent of Police came and told him that the Superintendent of Police wanted to see him. Mahatmaji accompanied him to the Superintendent. This latter gentleman had at one time been in South Africa and talked freely to Mahatmaji, claiming an old acquaintance. He spoke a great deal against Rajkumar Shukla and promised to bring about a meeting between Mahatmaji and planters. Thereafter Mahatmaji saw the District Magistrate Mr. W. B. Heycock, who expressed regret at the necessity he felt himself under to take proceedings against him and said that Mahatmaji ought to have seen him earlier. Mahatmaji replied that after the treatment he had received from the Commissioner it was neither possible nor proper for him to see the Magistrate to court a rebuff. The Magistrate requested Mahatmaji to postpone his visits to villages for three days to which Mahatmaji consented.

Mahatmaji appeared before the Magistrate shortly before 3 o'clock. The Magistrate told him that he would pass orders on 21st April, 1917, but that he would release him in the meantime on a bail of Rs. 100. Mahatmaji said that he had no bailor and could not offer bail. The Magistrate was again in difficulty and found a way out by offering to release

him on his personal recognizance. Mahatmaji returned to his lodgings at about three o'clock. From there he sent information about what had happened to friends and newspapers, at the same time requesting them not to create any agitation in the Press until the Government orders were known.

On the 18th April, a party consisting of Messrs. Polak, Haque, Brajakishore, Anugrahanarayaṇ, Shambhusharan and the writer left Patna by the 7 a.m. train for Motihari. On the way Mr. Polak recounted several stories of Mahatmaji's doings in South Africa and we reached Motihari at 3 p.m. On arriving there we learnt what had happened in Court in the course of the day and it seemed that matters would not probably proceed further and the case would most likely be withdrawn. It was at the same time felt that if, however, the case was not withdrawn and Mahatmaji was in any way touched then the work would have to be continued. The new-comers were apprised of what had happened till then and the whole party met at 7-30 p.m. to consider the future plan of action. Here too the same question arose as to what would happen after Mahatmaji's imprisonment. There was no doubt that the work must be continued ; but if in continuing it, it was necessary to face imprisonments, should we be able to do so ? The new-comers felt very much encouraged when they heard of the determination of Babu Dharnidhar and Babu Ramnavmi and they all said in one voice that they also would not lag behind. When we were discussing this matter amongst ourselves Mahatmaji was not there. When we had decided this we communicated our decision to him. Mahatmaji was filled with joy and Mr. Polak also was very much

pleased. Mahatmaji, like the practical man that he is, asked us to make a definite programme. It was accordingly decided that if Mahatmaji went to jail, Mr. Haque and Babu Brajakishoreprasad would take the lead and intimation of this would be sent to the Government officers. If they were removed, then Babu Dharnidhar and Babu Ramnavmi would take charge of the work. If they too were picked up, the writer, Babu Shambhusharan, and Babu Anugrahanarayan, would continue the work. It was hoped that by the time these batches were removed, other people would have joined the party and further programme would be fixed later on. In accordance with this decision Mr. Haque and Babu Brajakishore were permitted to go to Patna and Darbhanga respectively to settle their affairs at home, so that they might return by the 21st April which was the date fixed by the Magistrate for passing orders. Mr. Haque had a professional engagement at Gorakhpur and it was arranged that he would return straight from Gorakhpur either on the evening of the 21st or on the morning of the 22nd. Mr. Haque who was then a member of the Viceroy's Legislative Council sent a long telegram to the Viceroy, detailing the happenings in Champaran. After arranging all this Mr. Polak, Mr. Haque and Babu Brajakishore left Motihari by the night train.

From 19-4-'17 batches after batches of tenants began to pour in and Mahatma Gandhi's assistants began to record their statements. Mahatmaji himself recorded the statements of a few of these and read the statements recorded by others. Those who were entrusted with the work of recording statements were told to cross-examine the tenants carefully and closely, to record only such statements as appeared

to them to be true, and if they came across any case which required immediate enquiry to draw Mahatma Gandhi's attention to it. While we were recording statements the Police Sub-Inspector used to be present taking notes of what was going on. On this day, too, telegrams were received from various parts of the country and information was sent to friends of what was happening. Mr. C. F. Andrews arrived that afternoon. He had never been to Champaran before, and the people of Champaran too had never seen an Englishman like Mr. Andrews. His simple dress, plain and straight talk and above all his face beaming with love endeared him to all who came near him. Mahatmaji related to him all that had happened. Mr. Andrews went to see the Collector, but could not meet him.

We had all been staying upto this time at the house of Babu Gorakhprasad ; but our number was growing and we saw that the work was likely to take time. It was accordingly decided that we should take a house on rent. Babu Ramadayalprasad, who is an enthusiastic young man of the famous Sahu family of the place, secured a house for us. It was decided that we should shift to that house and Mahatmaji ordered that we should remove that very evening. We accordingly went to the new house the same night. It is necessary to state here that all the time that Mahatmaji and his assistants remained in Champaran the Sahu family gave them every kind of assistance.

On Mr. Polak returning to Patna, a meeting of the Bihar Provincial Association was held under the presidency of the Hon'ble Rai Krishnasahai Bahadur. Mr. Polak explained the situation in Champaran

and requested the leaders to go to Champaran. The Association resolved to give all possible assistance to Mahatmaji in his inquiry.

On the 20th April, 1917, Mr. Andrews saw the Collector, Mr. Heycock. There he learnt that the case against Mahatmaji would be withdrawn and the Government officers would help him in the enquiry. We were not aware of this decision of the Government and it had accordingly been decided on the 19th to request Bihar leaders to visit Champaran, and telegrams had been sent to Mr. Hasan Imam, Mr. S. Sinha and the Hon'ble Babu Krishnasahai. Babu Brajakishoreprasad returned the same day from Darbhanga. The statements of the tenants continued to be recorded the whole day. There was such a continuous stream of these tenants that there was not a minute's break between 6-30 a.m. and 6-30 p.m. Many had to stay overnight and still their statements could not be recorded the next day. We accordingly arranged to take down the names of all those who were left over for the next day for want of time and they were given priority the following day. Work continued like this.

At about 7 p.m. notice was received that the case had been withdrawn.

On 21-4-'17 statements continued to be recorded. There was a great crowd of tenants. They were under the impression that orders in the Mahatma's case would be passed that day and they had come from long distances. From Bettiah alone some 500 persons had come. When they received the news of the withdrawal of the case, they were naturally very pleased. They also came to get their statements recorded. Two Sub-Inspectors of Police who had been

kept to watch us and our proceedings were removed from that duty this day. The same afternoon Mr. S. Sinha and Rai Bahadur Krishnasahai arrived from Patna and had a long conversation with Mahatmaji. Mr. Hassan Imam could not come himself, but he sent monetary assistance. Mahatmaji decided to go to Bettiah on the 24th.

Mr. Andrews had previously settled to go to Fiji. Mahatmaji was of opinion that he should not change his programme. We were of opinion that the trouble with the planters was not yet quite over and the presence of a gentleman like Mr. Andrews would be a great help. We spoke to Mr. Andrews and he said that he would abide by Mahatmaji's decision. In the evening the matter was mentioned to Mahatmaji and it was suggested that Mr. Andrews should be detained. The reply that Mahatmaji gave us had a great effect on our mental outlook. He said he knew the reason why we wanted to detain Mr. Andrews and that reason was that this fight being against the white planters the presence of a white man like Mr. Andrews would give us some protection; but that he (Mahatmaji) was not prepared to seek or give any protection of that sort. It was a weakness on our part to seek it and it was necessary for that very reason that Mr. Andrews should go. But if Mr. Andrews felt the call for Champaran as more urgent than that for Fiji he might stay; but this he must decide himself. It was ultimately settled that Mr. Andrews should go to Fiji and that he must start by the next morning train.

On this and the following days a number of pleaders arrived from Muzaffarpur and Chapra to help in recording statements. As usual there was a

large crowd of tenants. Mr. Andrews started by the 10 a.m. train and Mr. Haque returned from Gorakhpur by the same train. While we were recording statements information was received from a village that a man had been shut up by the underlings of a factory in one of its godowns. Mahatmaji deputed Babu Anugrahanarayan to proceed to the place at once and wrote to the Superintendent of Police asking for his assistance. Babu Anugrahanarayan reached the place, but the factory people having received information of his arrival let off the man and asked him to go out by a back-door. Anugrahababu chanced to meet the man and brought him to Motihari.

The same afternoon Mahatmaji accompanied by some of the workers went to Bettiah leaving behind others at Motihari to record statements of tenants who came there.

When the news of the proceedings under section 144 Cr. P. C. and the prosecution of Mahatma Gandhi and its withdrawal was published almost all the papers of India severely criticized the action of the Commissioner and praised the Government for ordering withdrawal of the case and directing its local officers to help Mahatmaji.

11

MAHATMA GANDHI AT BETTIAH

It has been said above that Mahatma Gandhi went to Bettiah by the afternoon train of the 22nd April. The news of the withdrawal of the case, as also that Mahatmaji was going to Bettiah by that train had already spread. There were crowds of people awaiting at every railway station to have a look (*darshan*) at him; and the arrival of the train was signalized by shouts of *Jai* and showering of flowers. The train reached Bettiah at about 5 p.m. There was such a huge crowd at the station that to avoid any accident the train had to be stopped some way off from the platform. The Mahatma was travelling in a 3rd class compartment. The people of the town and villages welcomed him. They rent the skies with their cries of *Jai* and there was a regular hail-storm of flowers.

Mahatmaji took his seat in a carriage. The people unharnessed the horses and wanted to pull the carriage themselves. But Mahatmaji prohibited them and expressed his determination to leave the carriage if they persisted. The people yielded and the horses were again harnessed. More than 10,000 people were present there. The carriage could move but slowly and with great difficulty. On both sides of the road countless men and women were standing. It was the long-looked-for day of Mahatma Gandhi's arrival and he had arrived. No one felt any doubt that the miseries of the tenants would now disappear. This faith was deeply engraven on their simple faces. No one had

said anything to the people about Mahatmaji. Very few people knew his past career. There were fewer still who were acquainted with his South African Satyagraha. What was it that created this confidence? It was apparently without any reason. What was at the root of this firm and unquestioning faith? I cannot answer this question. The faith was firm, the heart was true. These bore their fruit. Mahatmaji drove from the station to the *dharamshala* of Babu Hazarimal. There he was received by Babu Surajmal, who made all arrangements for Mahatmaji's stay there. Mahatmaji stayed at the *dharamshala* all the time he remained in Bettiah and the proprietors were ever ready to serve.

On the following day Mahatmaji saw Mr. W. H. Lewis, the Sub-divisional Magistrate of Bettiah and Mr. J. T. Whitty, the Manager of the Bettiah Raj. They had already received communications from the Collector about Mahatmaji.

At Bettiah also statements began to be recorded. There used to be large crowds here also. On the 24th April Mahatmaji and Babu Brajakishore went to a village called Laukaria. The people related to them their grievances. Mahatmaji talked to small boys, inquired about the wages paid to them by factories and by other agriculturists, and made rather sifting enquiries about wages. Mr. Lewis also visited the place where statements were being recorded and stopped there for a short time. In spite of his presence the tenants fearlessly mentioned their grievances. Babu Brajakishoreprasad was recording their statements after subjecting them to a searching cross-examination. It is believed that Mr. Lewis came back satisfied with the method and procedure of the

inquiry. Mahatmaji spent the night there. He also visited Mr. H. Gale, the Manager of the Byreah factory, and had a long talk with him about his factory and his villages. While Mahatmaji was returning from the factory, an incident occurred which deserves mention here. He had gone a short distance when a factory servant came running to him and told him, "I was apprehending that the factory manager might behave rudely towards you; I was therefore overhearing the whole conversation from a concealed corner, ready to come to your assistance, come what might to me, in case anything untoward happened to you." The way he spoke showed that he was speaking the truth and this incident only proves that even those who were not in a position to support and help Mahatmaji openly were secretly praying for his success, and further were even ready to come to his assistance, if any occasion demanded it.

On the evening of the 25th April, Mahatmaji came back all the way walking from Laukaria to Bettiah which caused a swelling in one of his feet.

The work of recording statements was going on at Motihari; but since Mahatmaji's arrival at Bettiah the crowd there became larger and more assistants had to be called there. The statements which were recorded at Motihari used to be sent every night to Mahatmaji through a messenger.

On the 26th of April Mahatmaji went to see a village, Sindhachhapra under the Kuria factory. This village is at a short distance from Bettiah. There were also some policemen with him. He went round the village and saw the condition there. What he saw there melted his heart. He found indigo grown all round the houses of the tenants.

On the 27th April, Mahatmaji accompanied by Babu Brajakishoreprasad and others went to see some villages under the Belwa factory. On the way Babu Vindhyabasiniprasad, a *vakil* from Gorakhpur, joined the party to assist Mahatmaji. Early in the morning Mahatmaji and the party started on foot from the Narkatiaganj Railway Station for Murali Bharahwa which is at a distance of 6 or 7 miles from there. In spite of the hot sun of the month of *Baisakh* they all managed to reach Murali Bharahwa on foot at about 10 o'clock. Pandit Rajkumar Shukla, who had been sent to the Lucknow Congress as their representative by the tenants of Champaran and who had accompanied Mahatmaji from Calcutta, is a resident of this village. He showed his house to Mahatmaji, which, he said, had been looted by the factory people only a month before. The framework of the house was standing in a disturbed condition. The earthen *kothis* in which grain is kept were lying upset and trunks of the plantain trees were lying here and there scattered on the ground. On his fields, which, he said, were grazed by cattle under orders of the factory, were still standing the stalks and stems of the crop which had been so destroyed. * Mahatmaji saw all this and was very much touched. A large number of persons were examined there and hundreds of people made statements about the loot. Some of them were people whose cattle were let loose to graze in the field. Mahatmaji went and saw Mr. A. C. Ammon, the Manager of the Belwa factory. At

* Rajkumar Shukla stated the fact of his house being looted before the Agrarian Committee. But it was denied by Mr. A. C. Ammon, the Manager of the Belwa factory.

night the party stayed in the village of Belwa and the next morning they all returned to Bettiah.

After his return from Belwa he again went and saw Mr. Lewis and Mr. Whitty and had a long talk with them. The planters and the local officers were very much upset by Mahatmaji's visit. Mr. Lewis was very apprehensive and had drawn before his imagination a terrible picture of a likely disturbance and had begun to imagine that no one would care for any Government officials any more. From the talk that he had with Mahatmaji the latter gathered that he would send a report about all this to the Government.

At about 4-30 the same afternoon we all began to discuss what we should do if the Government took steps again against the party. We could not be punished for any offence without a regular trial. The expedient of sec. 144 Cr. P. C. would now fall flat on us and the people alike; but still there was the Defence of India Act under which we could all be externed from Champaran. We thought that if the Government decided upon this course, all of us would be got out of the way at one stroke. We had by this time recorded statements of thousands of tenants and had become acquainted with almost all the grievances of Champaran. There was hardly any locality in the whole District from which some tenants had not come to us and given their statements. There was no factory in the whole District with whose doings and activities we had not become familiar. If we were all removed together, it was just possible that the statements which we had recorded and the documentary evidence that we had

collected might be lost or might become useless. We knew that if we were removed, another batch of workers would come and take our places but the fresh batch would have to collect the same evidence anew and it was just possible that it might not get the documents with the ease and quickness with which we had got them. Then again the new batch would be wholly unacquainted with Champaran and its conditions. Mahatmaji discussed all this with us for a pretty long time. It was suggested by some of us that several copies should be made of the documents and the statements and complete sets of such copies should be kept in various places so that the new batch might get hold of at least one such set and even if the Government forfeited the copy in their possession, some copy might still be available somewhere. After considering all this Mahatmaji said that the Government might deal with us as it liked, but it would be an act of supreme folly on its part to forfeit or to destroy the evidence we had collected, and it would never do any such thing, because if the Government destroyed that evidence then any statement that we who had collected the evidence might make would have to be accepted, and Government would expose itself to attack on all sides without gaining anything. But as a precautionary measure it was desirable to have more than one copy of all our papers. We went on discussing all this till late at night. The same evening after 8 p.m. Mr. Lewis sent a report which he was submitting to the Government to Mahatmaji for his perusal asking him at the same time to send any note of his own regarding the subject matter of the report. Mahatmaji returned the report with his note the same night.

On 30th April, 1917, Mahatmaji went to Sathi factory and met its Manager Mr. C. Still. There he also met Mr. Gordon Canning the Manager of the Parsa Factory. He had a long conversation with them. After hearing the statements of some tenants Mahatmaji returned to Bettiah by the evening train.

On the 1st of May, Mahatmaji went to Motihari, accompanied by Babu Brajakishore. On the second May there was a meeting of planters. Many of the planters attended it. They invited Mahatmaji also. There was a long talk on various matters; but nothing came out of it. On the 3rd May Mahatmaji after seeing Mr. Heycock, the District Magistrate and Mr. Sweeney, the Settlement Officer, returned to Bettiah.

The Bihar Government was not out of touch with the progress of events in Champaran. The local officers were sending no doubt highly coloured reports. The planters also sent their representatives on deputation to lay their complaints before the Government. The European Defence Association of Muzaffarpur induced its parent Association in Calcutta to make a representation to the Government of India in which they asked that Mahatma Gandhi's enquiry should be stopped. But if the Government did not want to do that it should appoint a Commission of its own. It seems that when the planters did not feel satisfied with the result of the conversation that they had with Mahatmaji on the 2nd May, they began to take these steps. Mahatmaji used to inform the planters and the Government officials of all that he was doing. On the other hand the planters were doing all this secretly and no news of it was allowed to reach him. As a result of this deputation,

a telegram was received by Mahatmaji from the Chief Secretary to the Government from Ranchi on 6th May, 1917, informing him that the Hon'ble Mr. W. Maude would be going to Patna on the 10th May and requesting Mahatmaji to meet him there. We thought that the Government was going to take some action ; but we did not expect that it would stop the enquiry. The rush of tenants went on increasing. Volunteers from various districts of Bihar had come to assist in the work and it was going on smoothly. At intervals the leaders of Bihar also used to come. On the 5th May Babu Parameshwarlal, Bar-at-Law, came to Bettiah from Patna and stayed there for several days.

12

INTERVIEW WITH THE HON'BLE MR. MAUDE

On the morning of the 9th May, 1917 Mahatmaji accompanied by Babu Brajakishore started for Patna to have an interview with Mr. Maude. The news that Mahatmaji would travel by that train had spread and at every station there was a crowd of people waiting to see him raising the usual cry of *Jai* and showering flowers on him. Mahatmaji reached Patna at 7 o'clock in the evening. It was raining hard at the time. But in spite of the rain there was a large crowd waiting at the station. Almost all the leaders of Patna and several thousands of people had come to welcome him. Mahatmaji stopped at the house of Mr. Mazharul-Haque.

On the 10th May, Mahatmaji had an interview with Mr. Maude for about two hours. On the pre-

vious day Mr. Maude had already met Mr. Heycock, the District Magistrate of Champaran, Mr. Whitty, the Manager of Bettiah Raj and Mr. Lewis, the Sub-divisional Magistrate of Bettiah. We do not know what talk took place between Mahatmaji and Mr. Maude. But it seems that the planters had poisoned the ears of the Government and made serious charges against Mahatmaji's assistants. They had urged before the Government that the pleaders who were working with Mahatmaji were the root of all mischief and they should be removed from Champaran without delay. The reader must remember that Babu Brajakishore's name was not unknown to them on account of his activities in the Bihar Council in favour of the tenants. When Mahatmaji met Mr. Maude, after talking about other matters, Mr. Maude insisted that Mahatmaji should remove his pleader assistants from Champaran. Mahatmaji assured Mr. Maude that those who were associated with him were not in any way against the Government or likely to cause any disturbance and he altogether refused to comply with this desire of the Government. It was however agreed that Mahatmaji would submit a report of his enquiry as soon as possible and that method of enquiry should now change, but that it should not be stopped.

On 11-5-'17 Mahatmaji returned to Bettiah and began to prepare his report as desired by Mr. Maude. On 12-5-'17 a report comprising the main heads of grievances of the tenants was prepared on the basis of the evidence recorded. It is necessary to quote that report verbatim so that the readers might judge for themselves how each one of these complaints was proved to be true before the Agrarian Committee.

Copies of this report were also sent to the Government officers in the District, the Manager of the Bettiah Raj and Secretary of the Planters' Association. The report was as follows:

"In accordance with the suggestion made by Hon'ble Mr. Maude, I beg to submit herewith the preliminary conclusions which I have arrived at as a result of the enquiry being made by me into the agrarian conditions of the ryots of Champaran.

"At the outset I would like to state that it was not possible for me to give the assurance which Mr. Maude would have liked me to have given, viz., that the *vakil* friends who have been assisting me would be withdrawn. I must confess that this request has hurt me deeply. It has been made ever since my arrival here. I have been told, i.e., after the withdrawal of the order of removal from the District, that my presence was harmless enough and that my bona fides were unquestioned, but that the presence of the *vakil* friends was likely to create "a dangerous situation". I venture to submit that if I may be trusted to conduct myself decorously I may be equally trusted to choose helpers of the same type as myself. I consider it a privilege to have the association in the difficult task before me of these able, earnest and honourable men. It seems to me that for me to abandon them is to abandon my work. It must be a point of honour with me not to dispense with their help until anything unworthy is proved against them to my satisfaction. I do not share the fear that either my presence or that of any friends can create a "dangerous situation". The danger, if any, must be in the causes that have brought about

the strained relation between the planters and the ryots. And if the causes were removed, there never need be any fear of a "dangerous situation" arising in Champaran so far as the ryots are concerned.

"Coming to the immediate purpose of this representation I beg to state that nearly 4,000 ryots have been examined and their statements taken after careful cross-examination. Several villages have been visited and many judgments of courts studied. And the enquiry is in my opinion capable of sustaining the following conclusions.

"Factories or concerns in the District of Champaran may be divided into two classes:

"(1) Those that have never had indigo plantation and (2) Those that have.

"(1) The concerns that have never grown indigo have exacted abwabs known by various local names equal in amount at least to the rent paid by the ryots. This exaction, although it has been held to be illegal, has not altogether stopped.

"(2) The indigo growing factories have grown indigo either under the *tinkathia* system or *khuski*. The former has been most prevalent and has caused the greatest hardship. The type has varied with the progress of time. Starting with indigo it has taken in its sweep all kinds of crops. It may now be defined as an obligation presumed to attach to the ryot's holding whereby the ryot has to grow a crop on 3/20th of the holding at the will of the landlord for a stated consideration. There appears to be no legal warrant for it. The ryots have always fought against it and have only yielded to force. They have not received adequate consideration for

the services. When, however, owing to the introduction of synthetic indigo the price of the local product fell, the planters desired to cancel the indigo *sattas.* They, therefore, devised a means of saddling the losses upon the ryots. In lease-hold lands they made the ryots pay *tawan* i.e. damages to the extent of Rs. 100 per *bigha* in consideration of their waiving their right to indigo cultivation. This, the ryots claim, was done under coercion. Where the ryots could not find cash, handnotes and mortgage deeds were made for payment in instalments bearing interest at 12 per cent per annum. In these the balance due has not been described as *tawan,* i. e. damage, but it has been fictitiously treated as an advance to the ryot for some purpose of his own.

"In *mokarrari* land the damages have taken the shape of *sharahbeshi sattas,* meaning enhancement of rent in lieu of indigo cultivation. The enhancement according to the survey report has in the case of 5,955 tenancies amounted to Rs. 31,062, the pre-enhancement figure being Rs. 53,865. The total number of tenancies affected is much larger. The ryots claim that these *sattas* were taken from them under coercion. It is inconceivable that the ryots would agree to an enormous perpetual increase in their rents against freedom from liability to grow indigo for a temporary period, which freedom they were strenuously fighting to secure and hourly expecting.

" Where *tawan* has not been exacted the factories have forced the ryots to grow oats, sugarcane or such other crop under the *tinkathia* system. Under the *tinkathia* system the ryot has been

obliged to give his best land for the landlord's crops ; in some cases the land in front of his house has been so used ; he has been obliged to give his best time and energy also to it so that very little time has been left to him for growing his own crops — his means of livelihood.

" Cart-hire *sattas* have been forcibly taken from the ryots for supplying carts to the factories on hire insufficient even to cover the usual outlay. Inadequate wages have been paid to the ryots where labour has been impressed and even boys of tender age have been made to work against their will.

" Ploughs of the ryots have been impressed and detained by the factories for days together for ploughing factory lands for a trifling consideration and at a time when they have required them for cultivating their own lands.

"*Dasturi* has been taken by the notoriously ill-paid factory *amlas* out of the wages received by the labourers often amounting to the fifth of their daily wages and also out of the hire paid for the carts and in some villages the Chamars have been forced to give up to the factories the hides of the dead cattle belonging to the ryots. Against the carcasses the Chamars used to supply the ryots with shoes and leather strap for ploughs, and their women had to render services to the latter's families at childbirth. Now they have ceased to render these valuable services. Some factories have for the collection of such hides opened hide-godowns.

" Illegal fines, often of heavy amounts have been imposed by factories upon ryots who have proved unbending.

" Among the other (according to the evidence before me) methods adopted to bend the ryots to their will the planters have impounded the ryot's cattle, posted peons on their houses, withdrawn from them barbers', *dhobis'*, carpenters' and smiths' services, have prevented the use of village wells and pasture lands by ploughing up the pathway and the lands just in front of or behind their homesteads, have brought or promoted civil suits or criminal complaints against them and resorted to actual physical force and wrongful confinements. The planters have successfully used the institutions of the country to enforce their will against the ryots and have not hesitated to supplement them by taking the law in their own hands. The result has been that the ryots have shown an abject helplessness, such as I have not witnessed in any part of India where I have travelled.

" They are members of District Board and Assessors under the Chaukidari Act and keepers of pounds. Their position as such has been felt by the ryots. The roads which the latter pay for at the rate of half an anna per rupee of rent paid by them are hardly available to them. Their carts and bullocks which perhaps most need the roads are rarely allowed to make use of them. That this is not peculiar to Champaran does not in any way mitigate the grievance. I am aware that there are concerns which form exceptions to the rule laid down but as a general charge the statements made above are capable of proof.

" I am aware, too, that there are some Indian Zamindars who are open to the charges made above. Relief is sought for in their cases as in

those of the planters. Whilst there can be no doubt that the latter have inherited a vicious system, they with their trained minds and superior position have rendered it to an exact science, so that the ryots would not only have been unable to raise their heads above water but would have sunk deeper still had not the Government granted some protection. But that protection has been meagre and provokingly slow and has often come too late to be appreciated by the ryots.

"It is true that the Government await the Settlement Officer's report on some of these matters covered by this representation. It is submitted that when the ryots are groaning under the weight of oppression such as I have described above, an enquiry by the Settlement Officer is a cumbersome method. With him the grievances mentioned herein are but an item in an extensive settlement operation. Nor does his enquiry cover all the points raised above. Moreover grievances have been set forth which are not likely to be disputed. And they are so serious as to require an immediate relief.

"That *tawan* and *sharahbeshisattas* and abwabs have been exacted cannot be questioned. I hope it will not be argued that the ryots can be fully protected as to these by recourse to law. It is submitted that where there is wholesale exaction, courts are not sufficient protection for the ryots and the administrative protection of the *Sircar* as the supreme landlord is an absolute necessity.

"The wrongs are twofold. There are wrongs which are accomplished facts and wrongs which

continue. The continuing wrongs need to be stopped at once and small enquiry may be made as to past wrongs such as damages and abwabs already taken and *sharahbeshi* payment already made. The ryots should be told by proclamation and notices distributed broadcast among them that they are not only not bound to pay abwabs, *tawan* and *sharahbeshi* charges but that they ought not to pay them, that the *Sircar* will protect them if any attempt is made to enforce payment thereof. They should further be informed that they are not bound to render any personal services to their landlords and that they are free to sell their services to whomsoever they choose and that they are not bound to grow indigo, sugarcane or any other crop unless they wish to do so and unless it is profitable for them. The Bettiah Raj leases given to the factories should not be renewed until the wrongs are remedied and should, when renewed, properly safeguard ryots' rights.

"As to *dasturi* it is clear that better paid and educated men should substitute the present holders of responsible offices and that no countenance should be given to the diminution in ryots' wages by illegal exaction of *dasturi*. I feel sure that the planters are quite capable of dealing with the evil although it is in their language 'as old as the Himalayas'.

"The ryots being secured in their freedom it would be no longer necessary to investigate the question of inadequacy or otherwise of the consideration in the indigo *sattas* and cart-hire *sattas* and the wages. The ryots by common agreement should be advised to finish indigo or other crops

for the current year. But henceforth whether it is indigo or any other crop it should be only under a system of absolute free will.

" It will be observed that I have burdened the statement with as little argument as possible. But if it is the desire of the Government that I should prove any one of my conclusions I shall be pleased to tender the proofs on which they are based.

" In conclusion I would like to state that I have no desire to hurt the planters' feeling. I have received every courtesy from them. Believing as I do that ryots are labouring under a grievous wrong from which they ought to be freed immediately, I have dealt as calmly as is possible for me to do so, with the system which the planters are working. I have entered upon my mission in the hope that they as Englishmen born to enjoy the fullest personal liberty and freedom will not fail to rise to their status and will not be grudging the ryots the same measure of liberty and freedom.

" I am sending copies to the Commissioner of the Tirhut Division, the Collector of Champaran, the Sub-Divisional Officer of Bettiah, the Manager of the Bettiah Raj, the secretaries respectively of the Bihar Planters' Association and the District Planters' Association. I am circulating also among those leaders of public opinion in the country who have kept themselves in touch with the work being done by my colleagues and myself. The copies are being marked " not for publication ", as there is no desire to invite a public discussion of the question unless it becomes absolutely necessary.

"I need hardly give the assurance that I am at the disposal of the Government whenever my presence may be required.

I remain,
Yours faithfully,
M. K. GANDHI"

13

CONSTERNATION AMONGST PLANTERS

After Mahatmaji's return from Patna a change was introduced in the method of recording the statements. Till then we used to record the entire statements of the tenants and as a matter of fact we had so far recorded such statements of about 4,000 tenants. On the basis of these statements we prepared a list of the heads of grievances and it was not necessary to record any more statements in full. Henceforward we made a precis note of their statements. This lightened our labour to some extent and we were able to give time to fully study and analyse the evidence so far collected.

The planters on the other hand were very much perturbed and were trying to put obstacles in the way of Mahatmaji at every step. But the temper of the tenants was altogether changed and they were not likely to be cowed down by a show or threat of force on the part of the factory. The tenants who had been oppressed for hundred years or more began to realize that if they did not get their freedom on this occasion, they would continue in their bondage for ever. The boldness and the work of Mahatmaji inspired them with courage. They were no more likely to be deterred from coming to him.

On the upper floor of the *dharamshala* at Bettiah there was a small room. Mahatmaji occupied it, while his assistants used to stay on the ground-floor where they used to record statements or to do other things. The crowd of tenants used to be so large that it was difficult to work. The outer gate used to be closed. Only those tenants used to be taken to Mahatmaji whose statements contained something unusual or an interview with whom was considered necessary. The tenants however did not rest satisfied with giving their statements. They would not return home without having a *darshan* of Mahatmaji. The gate used therefore to be opened every afternoon and they were allowed to go up to the extensive roof of the *dharamshala* which used to be filled up in no time. When the gate was opened, it was difficult for some time on account of the rush of tenants to go up or down by the stair-cases.

Mahatmaji had fully understood the significance of the hue and cry raised by the planters and he used to take such steps as he thought necessary to counteract their tactics. He used occasionally to send all available information to Government officials and kept most of the prominent leaders of the country informed of what was happening in Champaran. He used occasionally to send reports to them of the work done and to ask them to give such assistance as the occasion demanded or to keep themselves in readiness to render him assistance when called upon to do so. At the same time not one of these bulletins or reports or any of the facts mentioned therein was ever allowed to be published in newspapers. The reason was plain. Mahatmaji was anxious to redress the grievances of the tenants, not to create any

agitation. In spite of this precaution, however, the planters left no stone unturned to hamper his work so that they might not be deprived of their ill-gotten profit derived principally from oppression of the tenants.

On receipt of Mahatmaji's report, the Government called for reports on the same from the District officers, the Settlement Officer and the planters before the 30th of June, 1917. It was not to be supposed, however, that during this period there was to be plain-sailing. How could the planters keep quiet over this matter? On the 16th of May a telegram of the *Associated Press,* stated that a part of the Olaha factory which was one of the branches of the Turkaulia factory had been burnt, causing a loss of several thousands to the factory and that the planters suspected it to be a case of incendiarism.

There is a factory called Dhokraha at a short distance from Bettiah. The manager of that factory Mr. A. K. Holttum had told Mahatmaji that his tenants had no complaints against him and had invited Mahatmaji to see some of his villages. He had said the same thing to Mr. Lewis also. It was arranged that Mahatmaji would visit a place called Sarisawa. It is necessary to remind the readers that Mr. Holttum is the gentleman against whom the complaint of the tenants was that instead of taking enhancement agreements from them he had settled small bits of *zerait* land and had added to the rent of those bits the entire amount of enhancement to which he considered himself entitled.

On the morning of the 16th May, Mahatmaji started for Dhokraha accompanied by the writer and

Professor Kripalani, whose services had been dispensed with by the Muzaffarpur College and who had joined our party to assist Mahatmaji in his Champaran work. We started very early from Bettiah. We had conveyances but decided to walk. We reached Sarisawa bazaar which is about 8 miles from Bettiah, at about 8 a.m. A large number of tenants had assembled even before our arrival. On our way some tenants told us that the manager had arranged to bring a number of men with him who would come fully tutored to say that the tenants were quite contented, that they had no grievances whatsoever, etc. etc.

On arrival there Mr. Holttum also arrived. We all met in a small orchard. About 300 tenants were there. While Mahatmaji and Mr. Holttum were talking Mr. Lewis also arrived in his car. Mr. Holttum showed some papers to Mahatmaji and told him that complaint against him regarding enhancement was totally false, that he had settled his *zerait* lands with tenants on account of their persistent demand ; that by so settling his *zerait* he was not a gainer, rather he could earn more from those lands than he got as rent for them and that the tenants were at liberty to surrender them if they so desired. He also said that there were many tenants who were perfectly satisfied with the management of the factory, and that a few tenants who might have complained to Mahatmaji must have done so under instigation from others. After saying this he referred to an old cultivator aged 70 or 80 years and said that he was the most respected tenant in the whole locality. He asked Mahatmaji to listen to what he had to say. Mahatmaji asked the old man, " Have you any trouble

with the factory ?" He said at once, "No, sir! All the people are perfectly happy under the factory and they get all kinds of advantage from it." He added that the people had willingly taken settlement of the *zerait* lands. No sooner had he said this than the entire body of tenants present there began to fret and fume with rage and indignation. They began to shout, "This man is a traitor; he is a partisan of the factory; the sahib had tutored him;" and addressing the old man they said, "Why are you in this old age adding to your burden of sin by your falsehoods. Your time is now nearly up; remember God at least now and speak the truth." There was such a hubbub created there that it took a little time to restore quiet. About 15 more tenants made statements similar to that of the old man. Thereafter Mahatmaji enquired of the other tenants and they repudiated what had been said by the old man. Mahatmaji told them that he had been informed by the manager that they had taken *hunda* settlements willingly and that if they did not like the *zerait* land they were at liberty to surrender it. No sooner had he said this than all the tenants shouted out in one voice, "We surrender the *zerait* lands, we don't want them, let the sahib cultivate what he can on them, we have no objection." This very much perturbed Mr. Holttum and he said, "If they do not like this he would make them grow indigo." Mahatmaji smiled and said, "Just a minute ago you had said that *hunda* settlement had no connection whatsoever with indigo and that by cultivating the *zerait* lands you would be able to make more profit than you were now getting. In these circumstances it is a matter both of profit and good name to you if you take back these lands

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and release the tenants from what they evidently consider to be a burden." Mr. Holttum only replied, "After all I have also to live."

The tenants had become so bold and fearless that they began to complain against Mr. Lewis in his presence. It was an extraordinary thing for Champaran. Who could have said before Mahatmaji's visit that the tenant of Champaran who used to conceal himself at the very sight of the factory *Jamadar*, who used to suffer all kinds of disgrace and oppression silently for fear of more and worse oppression coming if he complained about it, would in this way accuse the factory manager and the Sub-divisional Magistrate in their very faces? We were all much struck by this change.

After the Sub-divisional Magistrate and Mr. Holttum had left, Mahatmaji asked us to take down the names of those who wished to surrender their *hunda* lands. We went on doing this upto the evening and still we could not finish it. We started from there at about 6 p.m. Mr. Holttum had enquired of Mahatmaji if he would have any objection to using his carriage. Mahatmaji accepted the offer after some hesitation and we returned in his carriage. We reached Bettiah at about 9 p.m.

Dhokraha and Loheria are two adjoining factories belonging to the same proprietor and Mr. Holttum was their manager. He used to live generally at Loheria. There was a great rush of tenants from these two factories at Bettiah on 17-5-'17. They came to surrender their *hunda* lands. Their names were taken down. Those of them who could read and write were asked to put down their signatures, while the thumb impression of illiterate persons was taken.

Mahatmaji wrote a letter to Mr. Holttum, detailing all that had happened and he also sent the names of these tenants who had surrendered their lands. The readers must know that the entire rent for that current year had been already realized and in some of those lands there were crops standing; but the tenants were so anxious to surrender these *zerait* lands and to get rid of this *hunda* settlement that they surrendered their lands to the factory with the crops standing on them. About 500 tenants surrendered their *zerait* lands in this way within two days.

On the night of 18-5-'17 fire broke out in one of the houses of Dhokraha factory and it was burnt. The tenants came running to Mahatmaji and informed him that the factory people themselves had set fire to the factory to create an excuse for oppressing them. Mahatmaji immediately deputed Babu Vindhyabasiniprasad to proceed to the spot to find out the truth after a thorough inspection and local inquiry. His report and the statements of the tenants were sent to the Government authorities.

We believe that the fire * was not due to the tenants. We knew that whatever the cause of the fire might be the planters would create a great noise about it. After reading the *Associated Press* message about the Olaha factory, Mahatmaji had written the following letter to Mr. Heycock on the 14th of May :

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* This book was written in 1919. Since then I have had a confession from the man who was employed to burn this factory. The plan according to him was to burn the factory at midnight, to rush to the authorities, get large body of armed police immediately and, if possible, to have the whole village looted. The plan failed because the man who was entrusted with the cipher message could not deliver it in time.

"Dear Mr. Heycock,

"I beg to refer you to the enclosed. All kinds of rumour have come before me. Pressure is being put upon me to make a statement. But I do not want to make any unauthorized statement. Will you kindly let me know for purposes of publication the damage caused by the fire, the nature of the out-work burnt, whether it was inhabited or otherwise protected and whether any connection has been shown between my presence in Champaran and the fire?

"I am sending a special messenger who will await answer.

Bettiah, Yours sincerely,
14th May, 1917 M. K. Gandhi"

Mr. Heycock replied as follows:

"Dear Mr. Gandhi,

"Your letter of the 14th May, 1917. I am able to give you the following information:

"Olaha factory is an out-work of the Turkaulia concern. The buildings burnt down were the engine room, press house and cake-house. The value of the building has been roughly estimated at Rs. 20,000 but this is only a rough estimate. No manager or asst. manager is in residence at the out-work. There are, however, factory servants to look after the buildings. The out-work is situated about 20 miles south east of Motihari.

"The fact that the buildings were burnt down shortly after you came to the district and that your visit of enquiry has caused considerable excitement etc., may possibly account for the rumours of all kinds which you say have come before you.

Motihari, Yours sincerely,
18th May, 1917 W. B. Heycock"

At about 10 p.m. on the 17th of May, Mahatmaji was discussing some matters with us, when a man who called himself part-proprietor of a village Parsauni came to us. He said that his other co-sharers had leased out their shares to a factory, but he was not willing to lease out his share. The factory was, therefore, very much annoyed with him and putting him to all kinds of trouble. He had a small house in the village which was going to be looted on the following day. Mahatmaji at once deputed Professor Kripalani and the writer to proceed to the place to make an enquiry. The Police Sub-Inspector was also informed so that he might accompany us if he so desired. We started the same night. The village is about 30 or 35 miles from Bettiah and 8 or 9 miles from the nearest railway station. We alighted from the train at about 8 o'clock next morning and reached Parsauni at about 10 o'clock. The Sub-Inspector of Police of Bettiah did not accompany us. But he sent information to the *Thana* within whose jurisdiction the village was. The Sub-Inspector of the latter place arrived at the spot soon after us. We examined a large number of tenants. The Sub-Inspector was present all along. After completing our enquiry and having talked to the people we started late in the evening and we reached the railway station at 11 p.m. and returned to Bettiah the following morning at 9.

The planters as well as the local officials were very much upset by all these activities and the picture of a serious disturbance which Mr. Lewis had drawn from his imagination became still more deeply coloured by these and the incidents that had taken place at Sarisawa bazaar. The planters and their

supporters were trying their level best to show that Mahatmaji's work in Champaran was fraught with mischief and to have him and his co-workers removed from the District. At the same time they were trying to put pressure on the tenants to prevent them from coming to Mahatmaji.

On the 20th of May, 1917, Mahatmaji wrote a letter to the Dist. Magistrate Mr. Heycock and sent along with it the statements of tenants of Dhokraha and Belwa factories. It is worthwhile quoting the letter in full as it shows Mahatmaji's method of work, his unflinching determination, firm faith in the justice of the cause and above all his principle of self-suffering and non-violence. The letter was as follows :

" Dear Mr. Heycock,........,

" I have hitherto refrained from bringing to your notice statements which have continued to stream in to the effect that the ryots are being prevented from coming in to me and that those who have come in have been subjected to all kinds of pin-pricks by the *Kothi Amals* and in some cases by the managers themselves. I have discounted some of the statements. I have taken down a few. But if what I have heard about the doings of the Belwa and Dhokraha concerns is true, it is calculated to end on one side at least the friendly spirit in which the inquiry has hitherto been carried on. I am most anxious to continue and to increase the friendly spirit. I am straining every nerve so far as in me lies to so conduct my mission that nothing but good-will should be left behind, when its labours are finished. I send you the statements

taken regarding the Belwa and Dhokraha concerns. If the statements are true they do not reflect any credit upon the concerns in question. I enclose too my letter to Mr. Holttum which was written before I heard of the fire and which was despatched before I took the statements of the Dhokraha men last evening after 6 p.m.

"I understand and even appreciate the feelings which are bound to fill those who are called upon to contemplate the prospect of having to forego huge incomes which they have hitherto been in the habit, for a long time, of receiving from their ryots. One cannot therefore mind any legitimate effort on their part to hold on to what they have considered as their right. But what is reported to have happened at the Belwa and Dhokraha *dehats* does not, in my opinion, fall under such category.

"It is a well-known fact that the desire of the planters generally is that my friends and I should not carry on our work. I can only say that nothing but physical force from the Government or an absolute guarantee that the admitted or provable wrongs of the ryots are to stop for ever, can possibly remove us from the District. What I have seen of the condition of the ryots is sufficient to convince me that if we withdraw at this stage, we would stand condemned before man and God and, what is more important of all, we would never be able to forgive ourselves.

"But the mission is totally of peace. I cannot too often give the assurance that I bear no ill-will against the planters. I have been told that that is true of myself but my friends are fired with an anti-English feeling and that for them it is an

anti-English movement. I can only say that I do not know a body of men who have less of that feeling than my friends. I was not prepared for the pleasant revelation. I was prepared for some degree of ill-will. I would have held it excusable. I do not know if I have not been guilty of it myself under circumstances which have appeared to me most provoking. But if I found that any of my associates were in the conduct of this mission actuated by any ill-will at all, I should dissociate myself entirely from them and insist upon their leaving the mission. At the same time the determination to secure freedom for the ryots from the yoke that is wearing them down is inflexible.

"Cannot the Government secure that freedom? This is a natural exclamation. My answer is that they cannot, in cases like this, without such assistance as is afforded to them by my mission. The Government machinery is designedly slow. It moves, must move, along the line of least resistance. Reformers like myself who have no other axe to grind but that of the reform they are handling for the time being specialize and create a force which the Government must reckon with. Reformers may go wrong by being overzealous, indiscreet or indolent and ignorant. The Government may go wrong by being impatient of them or over-confident of their ability to do without them. I hope in this case neither catastrophe will take place and the grievances which I have already submitted and which are mostly admitted will be effectively redressed. Then the planters will have no cause to fear or suspect the mission of which I have the honour to be in charge and they will

gladly accept the assistance of volunteers who will carry on the work of education and sanitation among the villagers and act as links between them and the ryots.

"Pray excuse the length of this letter as also its argumentative character. I could not avoid it, if I was to place my true position before you. In bringing the two matters which have necessitated this communication I have no desire to seek legal relief. But I ask you to use such administrative influence as you can to preserve the friendly spirit which has hitherto prevailed between the *kothis* and my friends and myself.

"I do not wish to suggest that the *kothis* in question are responsible for the fires. That is the suspicion of some of the ryots. I have talked to hundreds of them about the two fires. They say that the ryots are not responsible for them, that they have no connection with the mission. I readily accept the repudiation because we are incessantly telling the ryots that this is not a mission of violence or reprisals and that any such thing on their part can only delay relief. But if the *kothis* may not be held responsible for them, they may not seek to establish a connection between them and the mission. Fires have taken place before now and, mission or no mission, they will take place for ever. Neither party may blame the other without the clearest possible proofs.

"There is talk too about the life of the planters being in danger. Surely this cannot be serious talk. Any way the mission cannot render them less safe than they are. The character of the mission is wholly against any such activity. It is designed

to seek relief by self-suffering, never by doing violence to the supposed or real wrong-doer. And this lesson has been inculcated among the ryots in season and out of season.

"Lastly, there is, I fear, ample proof of intimidation such as is described in the statements hereto attached. Intimidation can only mean more trouble all round without meaning the slightest relief to the planters in the shape of retention of the present system.

"I seek such help as you can vouchsafe in the circumstances, I have ventured to place before you.

Bettiah, Yours sincerely,
20th May, 1927 M. K. Gandhi"

A great hue and cry was raised in the Anglo-Indian Press. The readers will remember that in April 1915, Babu Brajakishoreprasad had proposed to the Government to appoint a Committee of enquiry. The representative of the planters, Mr. Filgate, had vehemently opposed the resolution. But in May 1917, the European Defence Association, the great supporter of the planters, suggested the appointment of a Commission and the Anglo-Indian papers joined in a chorus in making a similar demand. On 15-5-'17, the chief Anglo-Indian paper in Northern India, the *Pioneer* whose comments are typical of those of the Anglo-Indian Press, wrote as follows:

"It appears to us that the Government of Bihar could do well forthwith to appoint a Commission to investigate the differences which exist between the planters and the ryots in the Indigo Districts. It is difficult to see what good can come of Mr. Gandhi's investigation. But an enquiry conducted with strict impartiality by a Commission containing possibly a non-official element would give both

sides a fair opportunity of stating their cases and ought to result in a lasting peace."

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MAHATMA GANDHI INTERVIEWS THE GOVERNOR

While, on the one hand, the *Pioneer* was advising the appointment of a Committee the planters, on the other, were poisoning the ears of the Government about the fires. The result was that on 29th May 1917 Mahatmaji was summoned by the Government to Ranchi. Sir Edward Gait, the Lieut.-Governor fixed the 4th of June for an interview with him.

We could not quite understand the reason of this call. The District officers had not yet submitted their opinions on Mahatmaji's report. The call could not therefore be for discussing that matter. Then remained the planters and the agitation in the Anglo-Indian Press, the fire in two factories and the imaginary fear of a disturbance in the minds of local officers. We apprehended that there must be something wrong about this call. It was therefore necessary to proceed cautiously and to be prepared for all eventualities. Our party should be well organized and should be ready to face any untoward turn events might take. Plainly speaking we suspected that Mahatmaji might not be allowed to return from Ranchi. We discussed the future plan of action if that came to pass. Pandit Madanmohan Malaviya was wired to come to Patna for consultation. Mahatmaji wired to his wife who was in Calcutta to come and meet him at Ranchi. His youngest son

Devadas Gandhi, who was at the Sabarmati Satyagraha Ashram was also telegraphed to come to Ranchi. The writer was deputed to Patna to consult the leaders there. On the second of June Mahatmaji reached Patna with Babu Brajakishore. Pandit Malaviya had already arrived on the previous evening. A conference was held and it was decided that if any action was taken against Mahatmaji then either Mr. Haque or Pandit Madanmohan Malaviya would take charge of the work in Champaran. A programme similar to that prepared on the 18th of April was again made. Correspondence with leaders of the country was started. The same day Mahatmaji and Babu Brajakishoreprasad left for Ranchi, while Pandit Madanmohan Malaviya returned to Allahabad.

The planters had left no stone unturned to get Mahatmaji and his assistants removed from Champaran and to render his work infructuous. On the 31st May the Muzaffarpur branch of the European Defence Association passed the following resolutions :

1. That the presence of Mr. Gandhi in his self-imposed mission has been accompanied by unrest and crime.

2. That his continued presence there is likely to be disastrous to the welfare of the Europeans in Champaran and the peace of the District.

3. That they request the European Central Association in Calcutta to press on the Government the absolute necessity, if they wish to maintain law and order in Champaran District, to have Mr. Gandhi and his assistants removed from there at once and also that there is great fear of lawlessness spreading to the neighbouring Districts.

On the 3rd of June, 1917 the *Pioneer* published a long letter written by Mr. Irwin, the manager of the Motihari factory. Mr. Irwin had actually written the letter on the 23rd of May, but the *Pioneer*

published it on the 3rd of June, just on the eve of Mahatma Gandhi's interview with the Lieut.-Governor. It is necessary to say a word or two about Mr. Irwin here as he wrote several letters to the Press in connection with the enquiry, about which we may have to say something at the proper place. Mr. W. S. Irwin is an old and powerful planter. He is the manager of the Motihari factory and has been connected with it for a long time. He was in a way the pioneer amongst the planters in the matter of taking enhancement agreements and realizing *tawan* from the tenants. He it was who had taken legal advice about the *sharahbeshi* (enhancement) and *tawan* and carried on correspondence with the Government. It was in his factory that in 1906 trouble about these things at first arose. It is his boast that his tenants never go to courts against him. Very few of his tenants had dared to complain against *sharahbeshi* and *tawan* to the authorities. From these facts he wants to impress upon others that his tenants were contented and that there was no trouble. The tenants, however, have a different tale to tell. They say that Mr. Irwin's organization is so perfect and his method so effective that with all their sufferings the tenants dare not go to law courts. It was a *patwari* of this Mr. Irwin who had told Mahatmaji that a Sub-Inspector or a Magistrate was nothing as compared to his Sahib. Mr. Irwin in the letter which was published in the *Pioneer* of the 3rd of June, to show his impartiality in the matter wrote as follows :

"Very occasionally brief paragraphs appear in your columns alluding to Mr. Gandhi and his so-called mission in Champaran but it is more than evident you have no appreciation of the harm he is doing and has already succeeded in doing.

"When the local authorities first became aware of Mr. Gandhi's threatened visit, they very wisely and correctly took action to restrain him but, on appeal by him, this order was upset by the Provincial Government and Mr. Gandhi was permitted to continue his mischievous intention. He wanted to go to a village in the Peepra factory "dihat" and thereby encourage the villagers some of whom were under trial for severely assaulting the European sub-manager, but he was stopped by the police. Then when detained by the local authorities and awaiting the order of the Government he occupied himself in Motihari recording the *ex parte* statements of some hundreds of Peepra and Turkaulia concern ryots who were induced by his entourage to come to him. When Government orders were received revoking the earlier proceedings he passed on to Bettiah, but his doings in Motihari bore fruit and shortly after his departure an out-work of the Turkaulia concern was burnt down. I may here say parenthetically that of 20,000 ryots (more or less) not a dozen men attempted to go near Mr. Gandhi, and of these the majority went out of curiosity pure and simple and no serious charges of any kind were made. So in this matter I have no "personal" quarrel with Mr. Gandhi. Naturally his arrival in the Bettiah Sub-Division was objected to by both planters and officials and the former sent a deputation to Ranchi to try to get the Government to put an end to, or at any rate keep under some control Mr. Gandhi's activities. This resulted in the local officials and Mr. Gandhi being summoned by wire to attend a conference in Bankipore which ended in Mr. Gandhi's being permitted to return and continue his doings now more uncontrolled than ever and clothed in the ryots' mind in the garment of recognition and approval by Government. He visited a village in the Dhokraha factory "dehat" the ryots of which in his presence and before the S. D. O. and factory manager, foully abused in Hindustani the factory head servant and while Mr. Gandhi was still in the neighbourhood, but not actually within sight, assaulted and grossly maltreated a most respectable old man, who, too aged and infirm to walk, had to come in a cart to make statements in factory's favour and finally two days or so later the factory

office was set fire to and burnt down. There can be no possible doubt in any reasonable person's mind as to cause and effects in both this and Turkaulia incident. But everybody who deserves to be in a position to know, knows that the whole movement is meretricious and Champaran has been selected for the exploitation of it for the following reasons: 1. There is practically only one proprietor *(malik)* in the whole District — The Bettiah Court of Wards estate, i.e., the Local Government. In Tirhut and Saran most villages are owned by several small shareholders, many residents, and an agitator who would venture to go in there and act, as he has been doing here would meet with short shrifts. The engineers of the movement have no desire to get up against the Maharaja of Darbhanga. 2. Champaran with its large community of European Zamindars is eminently the place to start with hopes of success a class agitation. Mr. Gandhi, I believe, is a well-intentioned philanthropist but he is a crank and fanatic and is too utterly obsessed with his partial success in South Africa and his belief that he has been ordained by Providence to be a righter of wrongs. To be able to realize that, he is being made a cat's paw of by (i) Pleaders and *Mukhtears* etc., who know that planters settle free, gratis and for nothing at least 75 per cent, of disputes among ryots which would otherwise bring grist to their mills; (ii) *Mahajans* and money lenders whose usurious dealings with ryots have been greatly checked and who cannot now, owing to the action of the planters, acquire the debtor's best lands without the consent of the landowners and by (iii) Home Rule politicians who hope to demonstrate on the, for them, happy hunting ground of Champaran that officials and non-officials go hand in hand to oppress the population and so to prove that the District and incidentally all India is being misgoverned under the British Raj.

"What do these people care for ryots save to make use of them for their own purpose? For the protection of the property of the Champaran planters, one and probably only one step is essentially necessary and that is the removal of Mr. Gandhi from the District. The extreme

forbearance of the planters has so far prevented the outbreak of any very serious disturbance, but unless Government can see its way to protecting them they will unavoidably be forced into taking the steps necessary for their own protection."

It need only be stated about this letter that Mr. Irwin's comment that not a dozen of his tenants had attempted to go near Mr. Gandhi was wholly unfounded as we had by that time recorded the statements of some 300 of them.

The Anglo-Indian Press commenting on the European Defence Association resolutions, attacked the proposal for a non-official enquiry by "agitators", called on the Government to suppress their activities and, if necessary, appoint their own Commission of enquiry. The Indian Press throughout the country on the other hand, fully supported Gandhiji in all his activities, pointed to their significant implications of planter opposition to the enquiry and insisted on the enquiry being carried out.

15

THE APPOINTMENT OF THE ENQUIRY COMMITTEE

While on the one hand this agitation was going on in the Press, Sir Edward Gait was holding discussions with Mahatma Gandhi on the other, regarding the situation in Champaran. We had all taken our respective places on the 4th June and were every minute expecting a message from Ranchi. We were being tossed about by a wave of speculation. Just as the Government officials had pictured to themselves an imaginary disturbance and had been taking steps to get Mahatma Gandhi and his party removed from Champaran, even so were we experiencing the effects of an imaginary order of externment. The feeling was not one of fear, but of a deep curiosity. The whole of the night of the 4th June was spent by us in these dreams and reveries. On the morning of the 5th, at about 8 o'clock, a telegraph peon was seen coming and we all ran towards him. We were all anxious to know what the telegram contained ; but there was nothing definite in it. It only said, " Today's interview satisfactory, meeting again tomorrow." We waited the whole night for it, but none came. The anxiety on this day was not so keen, nor were we subject to evil thoughts to the same extent as on the previous day. But there was no peace of mind. The 6th of June also passed away in the same condition of suspense. On the 7th of June we received a telegram from Mahatmaji informing us that he would return from Ranchi on the 8th.

From the 4th to the 6th of June Mahatmaji was engaged in interviewing Sir Edward Gait and the members of his Executive Council, as a result of which, it was decided that an Enquiry Committee should be appointed and that Mahatma Gandhi should be one of its members. The names of other members were also settled at the same time, but as their consent had not yet been obtained, it was decided not to publish their names until such consent was obtained. On his way to Ranchi Shrimati Kasturbai Gandhi and Shrijut Devadas Gandhi had met him at Asansol and accompanied him to Ranchi. Mahatmaji, Shrimati Gandhi, Devadasji and Babu Brajakishore arrived at Patna on the morning of the 7th of June. Pandit Malaviya was already there waiting for them. After meeting all friends Mahatmaji left Patna on the morning of the 8th and reached Bettiah the same afternoon.

The news had already reached Bettiah that Shrimati Gandhi was coming with Mahatmaji. There was a large crowd to welcome her at the station. She took her residence in another small room. The *Associated Press* representative at Patna somehow managed to get the news in spite of the Government prohibition and wired that a Commission was going to be appointed. This news was published in the papers of the 8th June. The Government seeing various inaccuracies in it issued the following communique on the 11th of June:

> "The attention of the Government of Bihar and Orissa has been drawn to a communication dated 7th June on the subject of agrarian situation in Champaran, which emanated from the Bankipore correspondent of the *Asscciated Press.* It was published in several newspapers of June 8th. The communication was made without the knowledge or

> authority of the Local Government and contained various incorrect and misleading statements. The Local Government intend to appoint a Committee to enquire into the relations existing between the landlords and the tenants of the Champaran District and will shortly announce its constitution and terms of reference."

On the 13th of June 1917, a Government communique announcing the appointment of a Committee of enquiry and its personnel was published.

On 31-5-'17 when Mahatma Gandhi was going to Ranchi, we were apprehending many things. On the 8th June, instead of being interned at Ranchi, he returned to Bettiah with his wife, son and co-workers. What a tremendous change within these 8 days. He who had been summoned to Sir Edward Gait's presence almost as an accused, returned on this day as a member of a committee entrusted with the work of giving redress to the tenants of Champaran. The reader may very well ask what the reason of this was. A real and genuine desire to secure relief for the tenants and an equally genuine anxiety to avoid any thought of doing any injury to the planters, a readiness to suffer for his principles and for what he considered to be his duty, an unalterable faith in the power of truth and a complete absence of fear from worldly powers — these made such a tremendous change possible. To hold to these firmly is called *Satyagraha.*

The publication of the news of the Committee created a great stir among Anglo-Indian papers. In their issue of the 9th June the *Pioneer,* the *Statesman* and the *Englishman* said, as if in one voice, that the only proper course was to remove Mahatma Gandhi from Champaran, because his presence after the appointment of the Committee was no longer justified.

They did not know that Mahatma Gandhi too was appointed a member of the Committee. On the 8th of June immediately after the receipt of information about the appointment of the Committee Mr. Alec Marsh, the Secretary of the European Association of Calcutta, wrote the following letter to the Government which also throws a flood of light on the previous activities of his Committee :—

"I have the honour to address you by direction of the Council of the European Association with reference to Mr. Gandhi's visit in Champaran District and the matters that have arisen in consequence of his presence. On the 3rd May last, I telegraphed you a copy of a telegram despatched to the Government of India regarding the grave situation in the Champaran District and on the 4th May I forwarded you a copy of letter No. 1575 addressed to the Government of India regarding the same matter.

"My Council observe with great satisfaction the decision of your Government to appoint a Committee to enquire and investigate into the relations between landlords and tenants in the province of Bihar and Orissa.

"My Council are of opinion that the terms of reference should be as wide as possible, so as to comprise not merely the questions which have resulted in the appointment of the Committee but any which have actually proved a source of trouble in the past or may do hereafter. It is extremely important that so far as can possibly be now effected all grievances real and imaginary should be finally enquired into and removed.

"I am also directed to urge that the enquiry should be held in public and not in camera. Proceedings of this nature in camera invariably afford ground for criticism that there is something to be concealed from the public or that some person is being shelved. In a matter of this kind this Council consider that the public should be permitted to form its own opinion.

"My Council desire to impress on your Government that Mr. Gandhi having completed his self-appointed task

of investigating the relation between the landlords and the tenants in the Champaran District and having submitted his report to you in his letter of May 13th, there is no further necessity for his presence in that District. Your Government are doubtless aware of the grave anxiety existing among the planting community that serious trouble may arise at any moment. Also that opinion is generally held by the same Committee that the continued presence of Mr. Gandhi and his entourage in Champaran is likely to precipitate serious trouble in various directions. My Council would therefore urge upon the Government as strongly as possible, that Mr. Gandhi and his entourage be required by Government to remove themselves from the Champaran District except in so far as Mr. Gandhi's presence may be desired by the proposed Committee."

The *Indian Daily News* of Calcutta commented on this letter as follows :—

"Now that the Bihar and Orissa Government have decided to appoint a small committee of enquiry to investigate the whole question of relation between the landlord and the tenant in the Province, it seems impossible that they can allow a roving Commission to an agitator who has to make his case good or stand discredited."

Unfortunately for them, however, Mahatma Gandhi's presence was necessary even for the Enquiry Committee and the desire of the European Association that the enquiry should commence only after Mahatmaji had been removed could not be fulfilled. It was an irony of fate that the allegations made by the "roving" Commissioner were eventually found by the Committee to be true. The Government of Bihar issued a resolution on 10th of June regarding the appointment of the Commission and it was published in the papers of the 12th June. That resolution itself shows that the grievances of the tenants of Champaran were neither new nor were they the result of the machination of "agitators". It is

necessary to quote that resolution in its entirety. It was as follows :

"(1) On various occasions during the past fifty years the relations between the landlords and tenants and the circumstances attending the growing of indigo in the Champaran District have been the cause of considerable anxiety. The conditions under which indigo was cultivated when the industry was flourishing required re-adjustment, when it declined simultaneously with a general rise in the prices of food grains, and it was partly on this account and partly owing to other local causes that disturbances broke out in certain indigo concerns in 1908. Mr. Gourlay was deputed by the Government of Bengal to investigate the causes of the disturbances and his report and recommendations were considered at a series of conferences presided over by Sir Edward Baker and attended by local officers of Government and representatives of the Bihar Planters' Association.

"The result of these discussions revised the conditions for the cultivation of indigo in a manner calculated to remove the grievances of the ryots. The revised conditions were accepted by the Bihar Planters' Association.

"(2) In 1912 a fresh agitation arose connected not so much with the conditions under which indigo was grown, as with the action of certain factories which were reducing their indigo manufacture and taking agreements from their tenants for the payment in lieu of indigo cultivation of a lump sum in temporarily leased villages or of an increase of rent in villages under permanent lease. Numerous petitions on the subject were presented from time to time to the local officers and to the Government and petitions were at the same time filed by ryots of villages in the north of the Bettiah sub-division in which indigo had never been grown, complaining of the levy of abwab or illegal additions to rent, by their lease holders, both Indian and European. As the issues raised by all these petitions related primarily to rent and tenancy conditions and as the revision of settlement of the District was about to be undertaken in the course of which the relations existing between the landlords and tenants would come under detailed examination, it was thought advisable to await the

report of the Settlement Officers before passing final orders on the petitions. The revision settlement was started in the cold weather of 1913. On the 7th April 1915, a resolution was moved in the local Legislative Council asking for the appointment of a mixed Committee of officials and non-officials to enquire into the complaints of the ryots and to suggest remedies. It was negatived by a large majority, including 12 out of 16 non-official members of the Council present, on the ground that the appointment of such a Committee at that stage was unnecessary, as the Settlement Officers were engaged in the decision of the questions at issue and an additional enquiry of the nature proposed would merely have the effect of further exacerbating the relations of landlord and tenant; which were already feeling the strain of the settlement operations.

"(3) The settlement operations have been now completed in the northern portion of the District, and are approaching completion in the remainder and a mass of evidence regarding agricultural conditions and the relations between landlords and tenants has been collected. A preliminary report on the complaints of the tenants in the leased villages in the north of the Bettiah sub-division in which no indigo is grown has been received, and action has already been taken to prohibit the levy of illegal cesses and in the case of the Bettiah Raj to review the terms of the leases on which the villages concerned are held. As regards the complaints of the ryots in other parts of the District the final report of the Settlement Officer has not yet been received, but recent events have again brought into prominence the whole question of the relations between landlords and tenants, and in particular the taking of agreements from the ryots for compensation, or for enhanced rent in return for the abandonment of indigo cultivation. In these circumstances and in reference to representations which have been received from various quarters that the time has come when an enquiry by a joint body of officials and non-officials might materially assist the Local Government in coming to a decision on the problems which have arisen, the Lieut.-Governor in Council has decided without waiting for the final report

of the settlement operations to refer the question at issue to a Committee of Enquiry on which all interests concerned will be represented.

"(4) The following Committee has accordingly been appointed with the approval of the Government of India: President: Mr. F. G. Slay, C. S. I., Commissioner Central Provinces. Members: The Hon'ble Mr. L. C. Adami, I. C. S., Superintendent and Remembrancer of Legal Affairs, B. & O.; the Hon'ble Raja Hariharprasad Narayansingh,* Member of the B. & O. Legislative Council; The Hon'ble Mr. D. J. Reid, Member of the B. & O. Legislative Council; Mr. G. Rainy, I. C. S., Deputy Secretary in the Finance Department of the Government of India; and Mr. M. K. Gandhi. Secretary: M. E. L. Tanner I. C. S., Settlement Officer in South Bihar.

"(5) The duty of the Committee will be (a) to enquire into the relations between landlords and tenants in Champaran District including all the disputes arising out of the manufacture and cultivation of indigo; (b) to examine the evidence on these subjects already available, supplementing it by such further enquiry, local and otherwise, as they may consider desirable, and (c) to report their conclusions to the Government stating the measures they recommend to remove any abuses or grievances which they may find to exist.

"The Lieut.-Governor-in-Council desires to leave the Committee a free hand as to the procedure they will adopt in arriving at the facts. The Committee will assemble about the 15th July and will, it is hoped, complete their labours within three months."

The planters, however, were not at all satisfied with the appointment of Mahatma Gandhi. Mr. J. V. Jameson, whose name has already been mentioned, wrote the following letter which was published in the *Statesman* of 22nd June, 1917:

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* It is necessary to state here that on account of the ill-health of the Hon'ble Raja Hariharprasad Narayansingh, Raja Krityanandsingh, B. A. of Banaily was appointed in his place.

"With regard to Mr. Gandhi's appointment to the Committee it is difficult to see what his qualifications for the post consist of. He is a complete stranger to the Province and ignorant of its complicated system of land tenure. He came to the District frankly prejudiced in his views on the question while he professed his intention of making an impartial enquiry. He has spent a considerable time at the head of a band of agitators who by means of exaggerated stories as to his position and authority have attempted to induce the ryots to break their agreements and to ignore the decisions of the Settlement and Civil Courts and have succeeded in raising a considerable amount of racial ill-feeling. As his and his colleagues' activities are very important factors in the present relations between landlords and tenants they must inevitably come within the scope of this Committee's enquiry, and it would surely be more fitting that he should be required to justify his actions and the statements and recommendations which he has already submitted to Government, the very point on which this Committee is required to report, rather than that he should be put in the ludicrous position of judging his own case and reporting on the very conclusions and recommendations which he has himself put forward."

The allegation of Mr. Jameson that Mahatma Gandhi came to Champaran with a prejudice is, of course, unfounded. Whatever opinion Mahatmaji formed about Champaran was the result of his observations and the information which he gathered on the spot. His preliminary report would show how he had mastered the situation and the report of the Enquiry Committee shows that his conclusions were all literally true.

16

THE SITTING OF THE ENQUIRY COMMITTEE

Between the appointment of the Enquiry Committee and the commencement of its sittings Mahatmaji decided to pay a visit to Bombay and his assistants were also given a few days' holiday to go home. The Committee was to commence its work only on the 15th July and after the publication of the Government resolution, there being no further need, the work of recording the statements of ryots was stopped from 12th June. On the 16th of June Mahatmaji went away to Bombay and his assistants removed from Bettiah to Motihari and began to sort the evidence which should be placed before the Committee. Till then the full statements of more than 8,000 tenants had been recorded under the personal supervision of Mahatma Gandhi. It has been stated above that there were 2,841 villages and tenants from no less than 850 villages had made statements which were against as many as 60 factories. Over and above these statements we had collected a large number of documents many of which were judgments of Courts. So long as the assistants were engaged in recording statements, they did not get much time to study the documents. When the recording of statements was stopped, we began to study the documents carefully. We had to decide after careful scrutiny and selection what witnesses and what documents should be produced before the Committee. Even after the 12th of June, when we stopped recording statements, tenants continued to come in large numbers.

They used to be told that no more statements would be recorded and their grievances would be considered by the Committee. When the tenants learned that statements were not recorded, many of them sent their complaints by post. The police continued to bestow their attention on us even after the appointment of the Committee. Some police officer made a report to the Government that statements were being taken even after the 12th June. This was of course untrue and Babu Brajakishoreprasad who was in charge of affair in Mahatmaji's absence repudiated it. All this kept us engaged for about a fortnight and Mahatmaji returned from Bombay to Motihari on the 28th June '17. Mahatmaji brought with himself Dr. Hari Shrikrishna Deva, the Secretary of the Servants of India Society to help him in the mission.

On his return Mahatmaji also devoted himself to the study of the evidence. Before the commencement of the work the Committee was to hold a preliminary meeting at Ranchi to settle its programme of work and such other preliminary matters. Mahatmaji and Babu Brajakishore accordingly left Motihari for Ranchi on the 5th July and arrived there on the 7th. The Committee met on the 11th July and Mahatmaji returned to Motihari on the 13th July. It was settled that the Committee should sit at Bettiah from the 17th July. Bettiah was preferred to Motihari evidently for the reason that it being the Headquarters of the Raj, it offered better conveniences for the comforts of the guests who came for the Committee. The European members of the Committee were lodged at the guest-house of the Raj, while the Rajasaheb of Banaily stayed in the Raj palace. Mahatmaji and his party took their lodgings at their

old place, the *dharamshala* of Babu Hazarimal. With the exception of Mahatmaji, all the members of the Committee reached Bettiah on the 14th July. It had been announced that the Committee would hold its sittings from about the 15th of July at Bettiah, Motihari and other places and any one who wanted to say anything about Champaran must send his written note to the secretary of the Committee. This notice had been published in the newspapers and its copies were hung up in the Court premises. The tenants of the whole District had thus come to know that the enquiry would commence at Bettiah from the 15th July.

It is difficult to guess what hopes, what apprehensions possessed the minds of Champaran tenants. They instinctively felt on the advent of Mahatmaji that their grievances would go and when they saw that even the Government had agreed to appoint an Enquiry Committee of which Mahatma Gandhi was to be one of the members, the hope became doubly confirmed and large crowds of tenants assembled at Bettiah on the 15th July. In the streets, in the market place, in the spacious *maidan* of the town of Bettiah — wherever one turned one's eyes, one saw groups of tenants. It looked as if there was to be a big fair. The *dharamshala* where Mahatmaji was staying was always full of visitors.

The number of tenants increased on the 16th and it is estimated that no less than ten thousand tenants were present at Bettiah on that day. Mahatmaji was busy studying the papers, supplied by the Committee ; his assistants were equally busy and had no time to attend to the tenants, who were anxious to have a look at Mahatmaji. The Committee could

not commence its work on the 15th July. Mahatmaji was anxious that the tenants should not lose heart in any way. He accordingly came out in the afternoon of the 16th. As soon as Mahatmaji came out, the crowd swelled in number and the spacious garden and the compound of the *dharamshala* were filled with men. In a short speech, he explained to them that the Committee had been appointed to redress their grievances, that they should not go in large numbers to the meeting place of the Committee, and that if they had to make any complaint they should do so before Mahatmaji's assistants. Babu Brajakishoreprasad also explained this matter to the tenants. After Mahatmaji's speech the tenants went back perfectly satisfied.

It has already been said that a notice had been published inviting intending witnesses to submit their statements to the Committee. In response to it the Bihar Planters' Association, the managers of two factories, 25 tenants, Mr. J. T. Whitty, the Manager of the Bettiah Raj, Mr. J. A. Sweeney, the Settlement Officer, Mr. E. H. Lewis, the S. D. O. of Bettiah, Mr. L. F. Morshead, the Commissioner of the Tirhut Division, Mr. E. H. Johnstone, an Ex-S. D. O. of Bettiah, submitted statements. The Bihar Planters' Association had been particularly requested to represent their case, but they replied that they had nothing particular to say.

Examination of witnesses commenced at Bettiah on the 17th of July. The Committee used to meet in the hostel of the Bettiah Raj school. On behalf of the planters Mr. Pringle Kennedy, a well-known lawyer of Muzaffarpur, was watching the proceedings. Mahatmaji's assistants and tenants were

admitted to the Committee on tickets. In spite of all our efforts the crowd did not diminish. The roads were full of men. Two of our party were deputed to maintain order among the crowd. Although policemen in their uniforms were not much in evidence, they were posted in plain clothes. The Committee began its proceedings exactly at 11 a.m. The *Associated Press of India,* The *Amrita Bazar Patrika,* and the *Bengalee* had deputed their special correspondents to report the proceedings.

Mr. Sweeney was the first witness and his examination took the whole day. On the 18th July Mr. Lewis was examined in the fore-noon and Mr. Whitty in the afternoon. On the 19th July Srijut Rajkumar Shukla and Sant Raut, who had once been a clerk under a factory and Khendarprasad Rai were examined on behalf of the tenants. There was no sitting of the Committee on the 20th. On the 21st July the proprietor and Manager of Malahia factory, Mr. W. J. Ross and Mr. H. Gale, the Manager of the Byreah factory gave their evidence. On the 23rd July Mr. C. Still, the Manager of Sathi factory and Mr. A. C. Ammon, the Manager of the Belwa factory, deposed before the Committee. The sixth sitting of the Committee was to take place at Motihari on the 25th July and Mahatmaji with his assistants accordingly came to Motihari on the night of the 23rd July.

At Motihari, too, the crowd of tenants was as large as at Bettiah. The Committee met in the office of the District Board on the 25th July at 11 a.m. and examined Mr. W. B. Heycock, the Collector of Champaran, Mr. J. V. Jameson as the representative of the Planters' Association and Mr. E. H. Hudson, the Manager of the Rajpore factory. On the 26th July

Mr. W. S. Irwin, the Manager of the Motihari factory whom the readers know already was examined. After Mr. Irwin's examination the members of the Committee returned to Bettiah. The 27th of July was an off-day, and on the 28th the members of the Committee visited and held local enquiry at the Parsa factory.

It may be added here that no information used to be given to tenants about the visit of the Committee to their villages so that the "agitator" might not get an opportunity, as alleged by the planters, of tutoring the people of the locality visited by the Committee. The fact is there was nothing to tutor them about. In whichever direction the motor cars carrying the members turned a crowd collected and the moment they reached any particular factory, the news of their arrival spread with electric speed and thousands and thousands of tenants assembled in no time. The factory managers used to be informed beforehand so that they might keep their papers, registers etc. in readiness for inspection by the Committee. The Committee visited the Kuria factory and its villages on the 29th July. During these visits the papers of the factory used to be perused, statements of planters recorded and tenants examined. It is believed that what the members saw and heard during these tours made a deep impression on them.

The Committee met at Bettiah on the 30th July and on that day Mr. F. Granville, the Manager of the Madhubani factory and Mr. W. W. Broucke, its proprietor, were examined. Some members of the Committee visited some villages of Malahia factory and examined its papers. Similarly on the 21st local

inspection was held in the villages of Dhokraha factory. On the night of the 31st Mahatmaji with some of his assistants went to Motihari. The 1st of August was again an off-day and on the 2nd the Committee visited the Rajpore factory. Mr. Hudson, its Manager, had informed his tenants of the visit, and about 5 to 6 thousand of people had assembled there. On the 3rd of August the Peepra factory was inspected and on the 4th the Committee visited Turkaulia. At these factories too 3 to 4 thousand people were present. On the same day Mahatmaji saw Mr. Irwin at his factory and on the 5th he visited a village of his named Rajpur Chhitali, with his consent and returned to Bettiah by the afternoon train. On the 6th Rajghat Hardia factory was visited. On the 14th August, 1917 Mr. Jameson was again examined as the Manager of the Jalaha factory. No more evidence was recorded after this. Mahatmaji, however, placed before the Committee the statements of a number of tenants and a great many judgments of courts, which might throw light on the subject matter of the enquiry.

It may be stated here that in the days on which the Committee did not examine witnesses or visit villages, there used to be sessions of it for considering the evidence already recorded. There were several sittings of this nature. What used to take place in those sittings is not known to outsiders; but it became a matter of public knowledge later on, that to one of these sittings Mr. Hill of Turkaulia, Mr. Norman of Peepra and Mr. Irwin of Motihari were invited and an attempt was made to bring about an amicable settlement between them and their tenants regarding *sharahbeshi* (enhancement).

It is also necessary to state here that Mahatmaji agreed to a reduction in *sharahbeshi* instead of demanding its total cancellation. There were many difficulties in the way of tenants. They had with their eyes open executed these enhancement agreements although it was under coercion. The burden of proving that these agreements had been executed under fraud or coercion was on them. The Settlement Officer had held most of these agreements to be valid and the rent fixed by these agreements was entered in the record of rights. Under S. 103 of the Bengal Tenancy Act the Court is bound to presume the record of rights to be correct and the onus of showing that it was wrong was on the tenants. Although out of the nine test cases fought in Turkaulia five had been decided in favour of the tenants and only four in favour of the factory, these cases had cost a great deal and given much trouble to the tenants. On the one hand the factories were rich and powerful, their managers able and alert, their papers well kept and arranged; on the other, the tenants were poor and weak and uneducated and they had hardly any papers. God alone knows what would have been the result of this unequal fight if it had to be decided in Court. But more than anything else, if suits had to be instituted to cancel these enhancement agreements, then about fifty thousand such suits would have to be brought. The cases which the planters would have lost would surely have been carried to the High Court. But what Mahatmaji felt most was that if this matter was not settled by the Committee and the tenants were driven to the necessity of going to Court, then ill-feeling between the tenants and planters would rise to such

a pitch that they would become implacable enemies. What he was anxious about was that the trouble of the tenants should disappear and friendship established between the two parties, and their relation should be such that each should wish well of the other. Both should have their rights and none any ill-will against the other. But how was all this to be achieved without an amicable settlement? It was for these reasons that Mahatmaji and the members of the Committee were anxious that there should be a compromise.

After several private meetings and Mr. Jameson's examination on the 14th August, 1917, the work of the Committee for the time being came to a close and the next sitting was fixed to be held at Ranchi in September. The members of the Committee dispersed to their respective places and Mahatmaji also started for Ahmedabad on the 16th August, 1917, leaving Babu Ramnavmiprasad and the writer in Champaran, the other members of Mahatmaji's party going home.

On the 22nd September, Mahatmaji returned from Ahmedabad to Ranchi. Babu Brajakishoreprasad also went there. Soon after his arrival there Mahatmaji had an attack of malarial fever, but in spite of it he went on working in the Committee. There were several sittings of the Committee to settle the report and Mr. Irwin and some other planters were wired to go to Ranchi to settle the question of *sharhbeshi*. After several days' discussion the members of the Committee signed a unanimous report on the 3rd of October and submitted it to the Government on the 4th of October. After considering the report, the Government published their resolution on the 18th

of October. It need only be stated here that the Government accepted almost all the recommendations of the Committee.

From Ranchi Mahatmaji returned to Champaran and stopped there till the 12th of October. Groups of tenants used to come to see Mahatmaji and to enquire about the recommendations of the Committee. Mahatmaji told them the principal points and they were satisfied.

The students of Bihar had elected Mahatmaji as the President of the Biharee Students' Conference which was to be held at Bhagalpur on the 15th October. Mahatmaji started from Motihari for Bhagalpur and went to Bombay from there. About this time Babu Janakdhariprasad, Vakil of Muzaffarpur, came and took charge of the office at Motihari and began to live there.

17

THE REPORT OF THE CHAMPARAN AGRARIAN ENQUIRY COMMITTEE

It has already been mentioned above that the members of the Enquiry Committee had submitted their Report to the Government on the 4th October, 1917, and the latter having accepted almost all the recommendations had published their Resolution on the 18th October, 1917. The following is the gist of the Committee's recommendations which were accepted by the Government and which were published in their Resolution :

(1) The *tinkathia* system, whether for growing indigo or any other crop, should be completely abolished.

(2) If any agreement be executed for growing indigo it should be done on the following conditions :—

(a) The agreement should be voluntary.

(b) Its term should not exceed 3 years.

(c) The selection of field in which indigo is to be grown should rest with the ryots.

(d) The rate of sale of indigo plants should be settled by the ryots according to their choice.

(e) The price of indigo plants should be paid on weight. If the ryots agree, the plant instead of being weighed on a scale its weight may be appraised by arbitrators.

(3) In Motihari and Peepra concerns the enhancement should be reduced by 26 p. c. and in Turkaulia concern by 20 p. c.

(a) In Jalaha and Sirni factories the enhancement would be reduced as in Motihari and Peepra.

(b) The tenants in whose record of right the *tinkathia lagan* has been mentioned will have to pay enhancement on their rent in accordance with the above proportion.

(c) The Rajghat factory has not claimed any indigo *lagan*. The ryots of that factory have executed *sattas* for growing indigo on condition that no enhancement would be made in their rental. Hence the factory did not apply for enhancement before the Settlement authorities. The ryots of that locality want to give up indigo now. Hence an opportunity should be given to the said concern to apply for enhancement.

(4) The ryots who have paid *tawan* (either in cash or through hand-notes) to the factories will get back one fourth of it from them. In those villages which have been given in lease to the factory recently the entire amount of *tawan* would be returned to the ryots. The Bettiah Court of Wards will not realize the enhancement *jama* from them for a period of 7 years.

(5) The realization of abwab is altogether illegal. In future the ryots should not pay any amount to the Zamindars in excess of what is entered in their *khatian* or Record of Rights.

(6) It is illegal to realize any fee for mutation of name of an heir of a ryot. In other cases such fee should be realized on a fixed scale. The Board of Revenue would be informed that it should consider about fixing of such a scale for mutation in the Bettiah Raj and the *mokarridars* should also be asked to realize fee on the same scale.

(7) The *charsa-mahal* should be abolished in the Bettiah Raj, but no final orders should be issued in this connection till this matter is fully enquired into in the Ramnagar Raj.

(8) It is illegal to issue licence for selling kerosine oil and this system should be altogether abolished.

(9) In the Bettiah Raj the tenants can purchase half the share in timber on payment of proper price to the *malik*, but if in any *elaka* it may be apprehended that trees would be cut away (in large numbers) the Manager of the Bettiah Raj may limit the number of petitions of ryots in this respect.

(10) The Zamindars, *mokarridars* and the lessees should be informed that they should keep sufficient *parti* and grazing grounds for cattle in their *elaka*.

(11) It is illegal to impose and realize fines from the tenants. The ryots should be informed about it and the Zamindars, *mokarridars* and the lessees should be prohibited from realizing the same.

(12) The term of a cart-*satta* should not exceed 5 years and the agreement about it should be voluntary.

(13) Labour should be voluntary.

(14) In connection with the recommendation of the Committee about issuing receipt for payment of each *kist* or instalment of rent the Government would prescribe a form, if possible, for the same.

(15) The District Board would be informed to keep direct management of the pounds as an experimental measure and not to lease them out to factories or other lessees.

It should be added that immediately on the publication of the report and the Government Resolution thereon on the 18th October, 1917, a notice was

distributed throughout the District on behalf of the Government containing for the information of the tenants, a summary of the recommendations of the Committee.

This annoyed the planters very much and Mr. Irwin of Motihari raised a great hue and cry in the Press, which will be dealt with in detail hereafter. The *Pratap*, a Hindi newspaper of Cawnpore, had before Mahatma Gandhi's arrival in Champaran written a series of articles and had at one time issued a notice inviting all concerned to supply it with materials for a book on the grievances of the tenants of Champaran. In those days the policy of the Government was altogether different and the distribution of the notice had been stopped by it. From the same Press a booklet which was a sort of a commentary on the Government notices was now issued under the title of *Champaran ka Uddhar* and large numbers of its copies were sold in Champaran, carrying the news of their emancipation to almost every house. The planters complained that this booklet was being distributed on behalf of Mahatma Gandhi, but it was, of course, not true and Mahatmaji repudiated the charge. The result of all this was that there was hardly any place in the whole District where the recommendations of the Committee were not known. The tenants could now fully realize that through the efforts of Mahatma Gandhi their evil days were over and they could now sleep soundly in their homes and they could now shout with a full throat, *Mahatma Gandhi ki Jai*.

18

PLANTERS UNEASY

Even before the report of the Committee was published, Mr. Irwin of the Motihari factory had managed to obtain information about its contents; and on the 7th of October 1917 he wrote a long letter to the *Englishman*, and the *Statesman* which may be summarized as follows:

> "The Committee invited me and the Managers of Peepra and Turkaulia at Bettiah and advised us to enter into a compromise about *sharahbeshi*. I agreed to accept a reduction in the enhancement by 25 p. c. on the condition that the *tawan* would be left untouched. I showed to them that by reducing the enhancement by 25 p. c. there would be a loss of Rs. 13,000 in the annual income of my concern alone. But in spite of this Mr. Gandhi did not accept our terms and insisted on a reduction of 40 p. c. There was a similar talk at Ranchi and after much higgling I agreed to reduce the *sharahbeshi* by 26 p. c. but there was absolutely no talk about *tawan*. It now appears from the report of the Committee that 25 p. c. of *tawan* will have also to be refunded. The result is that I alone shall have to refund Rs. 80,000."

He further stated:

> "That our representative signed a report of this sort is a matter which will have to be settled with him. But I hereby absolutely decline to submit to any treatment of this kind and I as publicly as possible now revoke, repudiate and withdraw the concession of 25 p. c. of the *sharahbeshi* from the beginning of the coming year and will, if obliged to, spend this money in fighting this to a finish."

This letter of Mr. Irwin was published in the *Statesman* of the 21st and the *Englishman* of the 22nd October. The Government criticized it very

severely in its communique of the 23rd October and repudiated the charges made against the President and the members of the Committee. The Government note distinctly said :

> "The Lieut.-Governor-in-Council is unable to believe the allegations made by Mr. Irwin that the Committee obtained his consent to the reduction of *sharahbeshi* by leading him distinctly to understand that it (*tawan*) would not be interfered with."

On the 24th of October Mr. Irwin published another letter in which he charged Mahatma Gandhi with having shown to the S: D. O. of Bettiah a letter of the Lieutenant Governor, authorizing Mahatmaji to inform the tenants of the recommendations of the Committee. He further charged the Local Government with partiality for the tenants. It need hardly be stated that the charge against Mahatmaji was wholly unfounded as he had never shown any such letter to Mr. Lewis, and the Government was only doing its duty by the tenants.

It may further be stated that Mr. Irwin had written in his first letter that Mr. Rainy, who was a member of the Committee, and who had formerly been a Collector of Champaran, as Collector advised the planters in the matter of *tawan*. This statement was reiterated by an anonymous planter, who wrote a letter to the Press under pseudonym of "Old Champaran". He wanted to know from Mr. Rainy, how Mr. Rainy, having advised the realization of *tawan*, could sign a report recommending refund of part of the same.

On the 25th of October Mr. Irwin returned to the charge and criticizing the Government note wrote as follows :

"I would like to know if His Honour has made any enquiries from the only people in a position to say whether my allegation is true or not, viz. the managers of Turkaulia Ltd., and Peepra who, with Messrs. Rainy, Reid and myself, were the only persons present at the preliminary discussion."

On the 2nd of November, 1917, Mr. Jameson wrote a long letter to the *Statesman*, in which he severely criticized the proceedings of the Committee and said that *tawan* had been realized with the consent of Mr. Rainy. He further said that as in 1909 after Mr. Gourlay's report Sir Edward Baker had held a private conference of the planters and settled the whole disputes by enhancing the price of indigo, so also if any changes or modifications were necessary, the Government ought to have quickly sent for the planters and settled the matter with them. But from the way in which the Government had acted in not stopping Mr. Gandhi's enquiry, it was evident that the Government did not want to do justice to the planters who had lost all confidence in it. He added, "The Government would have retained the confidence of the planting community had it shown itself genuinely anxious to deal honestly with the whole question on its merits and to allay the unrest caused by its mistaken policy."

The Government for once wanted to do justice to the tenants and this was the result!

It is necessary to point out here that Mr. Irwin's statement regarding *tawan* was not correct and he was probably under a misapprehension. The Government held an enquiry into the matter. Mr. Norman, the Manager of the Peepra Factory, whom Mr. Irwin had mentioned in his letter wrote as follows on the 27th of October 1917 :

"To the best of my recollections and it is my firm impression that the question of *tawan* was never mentioned or referred to in any way at either of the two committee meetings I have attended; but personally I was under no misunderstanding about the Committee's idea regarding the refund of 25 p.c. as I was told they intended recommending this refund in a conversation at Bettiah just before the Committee meeting there which Hill, Irwin and I attended. It is my impression that both Hill and Irwin were told the same as I was....I wrote to Hill and Irwin when I was in Ranchi in August last....I asked Mr. Sly if the *tawan* question would be any way influenced by what was settled over *sharahbeshi* and he informed me that *tawan* was an entirely different matter and whatever was settled regarding *sharahbeshi* would in no way affect their decision about *tawan*."

Mr. Reid, who was the planters' representative on the Committee wrote on the 1st of November as follows:

"I am extremely surprised to read Mr. Irwin's assertion that assurances were given that the 26 p.c. *sharahbeshi* reduction would not be applied to *tawan*. On the contrary I have the clearest recollection that when Mr. Irwin came to Bettiah, he himself asked me if anything had been decided about *tawan* showing that he understood that the consultation with the three planters only referred to *sharahbeshi*. Moreover I told him that the Committee had decided to recommend a 25 p.c. refund of *tawan*. He strongly disapproved but finally said that he would prefer to pay the money to Raj and not to the ryots. I told him that the matter had been finally settled by the Committee and I could do nothing further. All this was at Bettiah. When he came to Ranchi the *tawan* question was never mentioned."

Regarding the allegation made by Mr. Irwin, Mr. Jameson and an anonymous planter that Mr. Rainy had advised the realization of *tawan* the Government held an enquiry and Mr. Rainy wrote in reply as follows:

"It is not true that *tawan* was taken by him after consultation with me and on my advice. Had he said that it was taken with my knowledge and without interference from me, he would have been correct. He never asked for my advice nor did I advise him."

He further wrote that whatever correspondence he had with the planters in this connection he forwarded to the Government and communicated the Government reply to them. As a Collector he said he could not have done anything else and in his personal capacity he offered no advice. It may also be stated here that on the 7th of November 1917, Mr. Irwin wrote a letter to the *Statesman* which was published in its issue of 14th of November 1917 in which he admitted that after enquiry from Messrs. Hill and Norman he had found that he was mistaken, regarding *tawan*; but that he had never agreed to a refund of *tawan* and that his agreement to the reduction of *sharahbeshi* was subject to the condition that he would not have to refund *tawan*.

The readers must have gathered some impression regarding the uneasiness caused by the report among the planters. Many letters and articles were published in the Anglo-Indian Press against the recommendations of the Committee and an anonymous writer, XYZ wrote to the *Statesman* on the 8th of November threatening that after the action which the Government had taken, no one would care to accept leases from the Bettiah Raj. One Mr. Kenneth Mackenzie who had at one time been a planter in Champaran wrote as follows from Darjeeling:

"The Government of Bihar have employed the most unheared of methods to uproot respect for Bihar planters in ryots' minds by their insulting procedure of scattering broadcast pamphlets in the vernacular among an ignorant

peasant population most unjustly putting planters in the wrong.

"The action will have much more serious results than Sir E. Gait anticipates and he and his colleagues and the members of the so-called Commission should be held collectively and individually responsible for any bloodshed that may ensue. Will the Bihar Government think for one moment that the planters will accept without question the arbitrary findings of the Commission? Will the European Defence Association see this injustice done to a section of their own community? I trow not."

On the 12th of November Mr. J. M. Wilson, the Secretary of the Bihar Planters' Association sent to the *Statesman* for publication the opinion of the planters' legal adviser. It was published in its issue of the 18th November 1917.

It may be summarized thus:

"It is doubtful if the Bihar Government has got the power to take away the right about the *tinkathi* possessed by the planters. The contract which has been in existence can only be broken with the consent of both the parties. But without their consent the notice issued by the Government can have no effect. It is more than 3 years that *tawan* money was realized and the same cannot be realized through court. Hence to take them back from the planters and pay them to the ryots is equivalent to extortion."

Someone under the *nomdeplume* of 'Solicitous' wrote a letter on the 20th of November to the *Statesman* in which, commenting on the letter of Mr. Mackenzie, he advised the European Association to take action in the matter in as much as what had happened to the planters of Champaran today might happen to the Englishmen elsewhere tomorrow. A similar letter from some Englishman was also published in the *Statesman* of 24th November in which he attacked Mahatma Gandhi, the Government of Bihar and the Committee and supported Mr. Irwin's

opinion regarding *tawan* and praised the planters. One gentleman under the name of 'Ruat Caelum' wrote the following letter which was published in the *Statesman* of 2nd December in which he gave a crushing reply to the various attacks made on the Committee :

> "If I have understood the writer of the article correctly his position is that *Status quo-ante-Gandhi* in Champaran should be restored, because, (1) it pays the ryot to grow indigo, (2) the indigo planter is a good, considerate landlord, (3) all planters and their relatives of military age are fighting for the empire, (4) certain planters served Bettiah Raj many years ago. To take these in reverse order, most people acquainted with the facts who are not planters, would think regarding the fourth that the planters in question got an ample *quid pro quo*. The third hardly appears to me apposite and the second would be generally admitted to be true, if a proviso is added "so long as such conduct does not interfere with his own interest". Some would add the rider that the planter is bound to behave thus in his own interest. The real crux lies in the first. Either the taking of *tawan* was a highly discreditable transaction in which the planter made use of his influence and superior knowledge, to extract a large sum from the ryot for a release which was worth nothing, or it does not pay the ryot to grow indigo at the rate fixed by the Bihar Planters' Association. I have no doubt that the latter is the correct answer....As for Sly Committee's recommendation with respect to *tawan* there must be many who were surprised at the moderation."

It is the opinion of many persons that this letter was written by some high placed Englishman. While on one hand the planters and their supporters were thus carrying on an agitation in the Press, on the other, they were running down the tenants in various cases to bend them. The Government of Bihar introduced the Champaran Agrarian Bill into the Bihar Legislative Council on 29th November, 1917.

19

THE CHAMPARAN AGRARIAN ACT

On the 29th of November the Hon'ble Mr. Maude introduced the Champaran Agrarian Bill into the Legislative Council. On this occasion he delivered a remarkable speech. * In the course of it he gave a short history of the indigo trouble in Champaran during the last 50 or 60 years as detailed in the previous chapters; and he showed the justice of the action of the Government in adopting the recommendations of the Committee. It may be stated here that when the planters raised a clamour against the report of the Committee, the Hon'ble Mr. D. J. Reid, who till then represented the planters on the Legislative Council and who had signed the report as a member of the Committee, resigned his place on the Council and Mr. J. V. Jameson was appointed in his stead. The Government nominated Mr. P. Kennedy, the legal adviser of the planters, as a member of the Council. These two members criticized the introduction of the Bill very severely, but the criticism was more than met by the Hon'ble Mr. Maude in his reply and the Bill was published again in the Government Gazettee on 20th February, 1918. The report of the Committee was placed before the Council for consideration on the 4th of March, 1918. Many Indian members moved amendments to improve the Bill from the tenants' point of view; while Mr. Jameson and Mr. Kennedy also tried to have it amended from their point of view. But no important amendment

* See Appendix A.

was accepted by the Government. There was one matter however worth mentioning. The Bill as originally introduced, contained a provision that if a Government official was informed that a Zamindar realized abwab the former could proceed against the latter *suo moto* and if after the enquiry the fact was proved, he could punish the Zamindar. The Select Committee had deleted this section. The Hon'ble Mr. Tanner moved that it should be reinserted in the Bill. The Government, left its members free to vote as they liked. The result was that most of the non-official members and some official members voted against Mr. Tanner's amendment and it was rejected. Those who voted against it were of opinion that under the Bengal Tenancy Act, a Zamindar who realized abwab, was liable to be punished on the complaint of a tenant and it was not necessary to have a new law for Champaran alone. The Bill was ultimately passed and became the Champaran Agrarian Act. Its principal provisions were as follows:

(1) On and after the commencement of the Act any agreement, lease or other contract between a land-lord and a tenant holding under him which contains a condition to set apart the land of his tenancy or any portion thereof for the cultivation of a particular crop shall be void to the extent of such condition.

Provided that if the tenant has in consideration of such condition received any advance prior to the commencement of this Act, he shall be bound to refund the same.

(2) Where in consideration of the release of a tenant from a condition, the rent payable by such tenant, prior to the first day of October, 1917, has been enhanced, the amount of such enhancement shall, with effect from the said date be reduced by 20 per cent in the case of rent payable to Turkaulia Limited, and by 26 per cent in all other cases, and a note to that effect will be made in the record of rights.

(3) Where a special condition or incident referred to above has been entered in the record of rights in respect of a tenancy, the same will be cancelled and the rent of the tenancy will be enhanced to an extent proportionate to the reduced enhancement mentioned above.

(4) The Local Government will by rule prescribe the authority for making necessary amendments in the record of rights, whose decision shall be considered final.

(5) Nothing in the Act shall prevent a tenant from contracting to deliver to his landlord a specified weight of a particular crop to be grown on the land of his tenancy or any portion thereof.

Provided (i) that any claim for damages for breach of such contract shall be based on a failure to deliver the specified weight and not on a failure to cultivate any portion of land; (ii) that the term of such contract shall not exceed 3 years.

The most outstanding features of the Act were :—

(1) The abolition of *tinkathia.*

(2) Reduction of *sharahbeshi* by 20 per cent in Turkaulia and 26 per cent in other factories.

(3) The freedom of tenants' holdings from an obligation to grow indigo and liberty to them to grow indigo on the voluntary basis if they liked; and

(4) Arrangement to prevent litigation in respect of the matters covered by the Act.

The Committee had also recommended that 25 per cent of the *tawan* realized by the factories should be refunded. The Government had accepted this recommendation. Accordingly the Bettiah Raj refunded Rs. 1,60,301-9-9 out of the *tawan* realized by 18 factories. It may be added here that no refund could be got in respect of villages that did not belong to the Bettiah Raj. In regard to one factory it is worth stating that its proprietor, after realizing the *tawan*, transferred it and it was considered unjust to force a refund from the new purchaser. After the

passing of the Agrarian Act, the *Pioneer*, the mouthpiece of Anglo-Indians, severely criticized the action of the Government which had dared to do some justice to the long-suffering tenantry of Champaran. It wrote as follows:

> "We regret to find in those steps the worst of the faults that can be attributed to the bureaucracy. Infirmity of purpose is the key-note throughout and it manifests itself in the usual symptoms; a purposeless insistence for as long as possible on secretariat secrecy and a refusal of requests for discussion when constitutionally put forward followed by a prompt acceptance of the same request when the party making them shows a disposition and ability to make things unpleasant for the secretariat; professed reliance on the opinion of local officers so long as that profession serves as an excuse for secrecy and delay, followed by abandonment of those opinions when they are found to be inconvenient; a too obvious desire to evade for as long as possible grasping the nettle of a controversial subject with the inevitable risk of injustice resulting according to the power of one side or the other to put pressure on Government." (*Pioneer*, March 13, 1918)

It was natural that the Anglo-Indian Press should write like this. But every fair-minded person will admit that it was the first attempt on the part of the Government to redress the long-standing grievances of the tenants and even to this the hands of the Government were forced by a world-renowned reformer like Mahatma Gandhi. The so-called self-created rights of the planters were no doubt affected and their henchmen in the Anglo-Indian Press undoubtedly felt sore about the matter, but the effect of the Act, so far as the ordinary people were considered, was all for the good and after a long long waiting the burden on the oppressed tenants was for the first time lightened to a certain extent.

20

HOW VOLUNTEERS SERVED

It was the opinion of Mahatma Gandhi that one of the main reasons of the sufferings of the tenants of Champaran was their ignorance. He was convinced from the very beginning that it was impossible for any outside agency to improve their lot unless their mental and moral condition was improved. This applies to the whole of India, but it can be demonstrated beyond contradiction in Champaran. The tenantry is altogether helpless. It is weak and there is gross ignorance. Mahatmaji had therefore made up his mind at an early stage of his mission that even if he succeeded in securing some relief for the ryots they would not be able to get the full benefit of it and they would become subject to fresh bonds. It has already been observed that since the advent of Mahatma Gandhi a peculiar sense of freedom and fearlessness was visible among the tenants of Champaran. But whether this was only a passing phase or a permanent acquisition by them could not be said for certain. Their mode of living also requires a great change. Dirt in the villages, dirt on the roads, dirt everywhere. The villagers have lost the ordinary capacity for organized work and cannot, by their combined action, repair a small village pathway. On the advent of any epidemic disease they fall victims to it, there being none to help them or protect them and there being no arrangement for their treatment. When there is no arrangement for sanitation, what arrangement could one expect

regarding medical relief ? Mahatmaji had accordingly decided that arrangement for spread of education was as necessary among them as the redress of their grievances. Sometime before the Enquiry Committee commenced its work Mahatmaji had written to some friends about it and told them what sort of volunteers he needed for this social work. He had written to a friend :

> "Their (volunteers') work will be the most important and lasting and therefore it will be the final essential stage of the mission. They (volunteers) have to be grown up, reliable, hardworking men who would not mind taking the spade and repairing and making village roads and cleaning village cess pools and who will, in their dealings with their landlords, guide the ryots aright. Six months of such training cannot fail to do incalculable good to the ryots, the workers and the country at large."

After the Committee had made its report, Mahatmaji found time to attend to this part of the work and on the 8th of November, 1917, he came to Champaran from Bombay with some volunteers. It was his wish that in this social work he should get the help of planters and that in the villages of almost every factory he should open one or more schools. But alas ! this wish could not be fulfilled. He decided that if the planters would not give him lands in their villages, he should open these schools in independent places. At a distance of about 20 miles to the east of Motihari there is a place called Barharwa Lakhansen which is a village of the Bettiah Raj and free from the control of any factory. It was

decided to open a school there. A generous gentleman of the village Babu Shivgulamlal gave his house for the school and promised other help. There on the 13th of November, 1917, Mahatma Gandhi opened his first school in Champaran. The school was put in charge of Shriyut Baban Gokhale, his cultured wife Shrimati Awantikabai Gokhale and Mahatmaji's youngest son, Shriyut Devadas Gandhi. Some time later Shriyut Chhotelal and Shriyut Surendraji came from Satyagraha Ashram, Sabarmati, and stayed at Barharwa. Mr. Baban Gokhale is a distinguished engineer of Bombay, who had received his education and training in Europe and Shrimati Awantikabai had travelled in Europe and before coming to Champaran she was engaged in the work of education in Bombay and has been doing the same kind of work after her return from Champaran.

Another school was opened by Mahatmaji on the 20th of November in a village called Bhitharwa. This village is situated in the Nepal Tarai about forty miles north-west of Bettiah. At a short distance from this village is the Belwa factory of which Mr. A. C. Ammon was the Manager. There is a small temple in the village in which a *sadhu* used to live. The temple has some *lakherai* (rent-free land). The *sadhu* gave a portion of that land for the school which was opened in a straw hut erected for the purpose. Shriyut Sadasiva Lakshman Soman, B.A., LL.B., a vakil of Belgaum in the Bombay Presidency, an enthusiastic young man from Gujarat, Shriyut Balakrishna Yogeshwar Purohit, Shrimati Kasturbai Gandhi and Dr. Dev began to live there.

With the help of Seth Ghanashyamdas, a wealthy merchant, a school was opened on the 17th of January,

1918, at Madhuban in the Seth's house. Shriyut Narahari Dwarkadas Parikh, B. A., LL. B., a resident of Gujarat and Professor of the Satyagraha Ashram, Sabarmati, his wife Shrimati Manibai Parikh, Mahatmaji's Secretary, Shriyut Mahadev Haribhai Desai, B.A., LL.B., his wife Shrimati Durgabai, Shrimati Anandibai, the sister of Shriyut Divekar, the Registrar of the Women's University of Poona, began to live there. For some time Shriyut Vishnu Seetaram Randive alias Appaji and Professor Kripalani also worked here. Professor Kripalani had to undergo imprisonment in Champaran, which of course he gladly accepted.

It is a matter of regret and shame for the people of Bihar that while highly educated and respectable people of the class mentioned above from other provinces volunteered their services, for some time not one man was found in the whole province to take up this social work. Babu Dharnidhar, M.A., B.L., had the good fortune of accompanying Mahatmaji from Muzaffarpur to Motihari when Mahatma Gandhi set his foot for the first time on the soil of Champaran. To him also came the privilege of assisting in the completion of Mahatmaji's work by six months' stay with his wife and children imparting education in the school at Madhuban. Besides the ladies and gentlemen mentioned above, other volunteers joined later on and served in one or another of the schools. They were Shriyut Brajlal Bhimji Rupani of Satyagraha Ashram, Shriyut Pranlal Prabhuram Yogi from Kathiawad, Shriyut Ramaraksha Brahmchari and Babu Shyamdeva Sahai alias Dipaji of Saran and some paid teachers were also engaged from time to time. The objects and ideals and the method of

education imparted in these *pathashalas* were described as follows by Mahatmaji in a letter to a Government official :

> "In the schools I am opening, children under the age of 12 only are admitted. The idea is to get hold of as many children as possible and to give them an all round education, i. e. a good knowledge of Hindi or Urdu and, through that medium, of arithmetic and rudiments of history and geography, a knowledge of simple scientific principles and some industrial training. No cut and dried syllabus has yet been prepared because I am going on an unbeaten track. I look upon our present system with horror and distrust. Instead of developing the moral and mental faculties of the little children it dwarfs them. In my experiment whilst I shall draw upon what is good in it, I shall endeavour to avoid the defects of the present system. The chief thing aimed at is contact of children with men and women of culture and un-impeachable moral character. That to me is education. Literary training is to be used merely as a means to that end. The industrial training is to be designed for the boys and the girls who may come to us for an additional means of livelihood. It is not intended that on completing their education they should leave their hereditary occupation but make use of the knowledge acquired in the school to refine agriculture and agricultural life. Our teachers will also touch the lives of grown up people and, if at all possible, penetrate the *purdah*. Instruction will be given to grown up people in hygiene and about the advantages of joint action, for the promotion of communal welfare, such as, the making

of village roads proper, the sinking of wells etc. And as no school will be manned by teachers who are not men or women of good training, we propose to give free medical aid so far as is possible."

In accordance with these principles education was given to about 140 children at the Barharwa *pathashala* under Mr. Gokhale and Mrs. Gokhale began to educate about 40 girls and women. In this *pathashala* weaving also was taught and people there trained in the art of corporate action by making them keep their wells and village roads clean. Mr. Gokhale and Mrs. Awantikabai would themselves clean the village which naturally produced a great impression on the minds of the inhabitants. Women used to be trained now to keep their children clean and well. This *pathashala* still exists. The Bhitharwa *pathashala* is situate in a locality where complete ignorance reigns. The climate is bad. The number of children for these reasons never exceeded 40; but Dr. Dev created very good impression among the people by teaching others sanitary modes of living. Shortly after the establishment of the school, one night at about midnight the school huts caught fire and were reduced to ashes. Dr. Dev, Shriyut Somanji, Shriyut Appaji and Shrimati Gandhi were staying there at the time. The school was at a distance from the village and so the village people could render no assistance. It was the considered opinion of Dr. Dev that the fire was due to an act of incendiarism. But instead of wasting time in inquiring into the cause of the fire, Dr. Dev, Mr. Somanji and Appaji decided to erect a brick building in place of the burnt straw hut; and in no time did they succeed in erecting it, carrying bricks on their own

heads and doing the work of coolies. This building still exists.

After the departure of the first batch two volunteers from Maharashtra, named Narayan Tammaji Katagade alias Pundalik and Eknath Vasudeva Kshire came to Champaran and began to work at the Bhitharwa *pathashala* with singular boldness. Pundalikji's presence proved too much for the Government and after a short time he was ordered under the Defence of India Act to go out of the Province. After Pundalikji's departure his place was taken by another Maharashtra volunteer, Shriyut Shankarrao Dev, B.A., who remained there for several months.

The Madhuban *pathashala* was also very successful and had about 100 boys. A girl's *pathashala* was opened there in which some 40 girls received education under Shrimati Anandibai. After the departure of the first batch from Madhuban, Shriyut Kshire and Shriyut Shyamdev Narayan worked there for several months. The entire cost of this *pathashala* was practically borne by Seth Ghanashyamdas. It is to be regretted, however, that this *pathashala* is closed.

As stated above, education was given in these *pathashalas* in Hindi and Urdu. Mahatmaji himself used to visit them from time to time and suggest improvements in them. Dr. Dev used to supervise the *pathashalas,* deliver lectures on sanitation and cleanliness and treat sick people. Although the volunteers of the first batch remained in Champaran for six months only their influence was not confined to the *pathashalas* only, but as was expected by Mahatmaji all the people of the locality were touched and even *purdah* ladies did not remain altogether

unaffected. If this work had been continued for some time, then not only Champaran but the other districts of Bihar would have undergone a great change for the better.

From what has been said above it should not be presumed that Mahatma Gandhi commenced his work of education only after the report of the Enquiry Committee. For those who were capable of taking lessons he had started his work of education the day he set his foot in Champaran. He showed a new world to those who had the privilege of serving under him. He gave them a new life. Whenever we used to talk to him about Swaraj he used to say that he was doing the work of Swaraj. We could not, I confess, realize at the time the full significance of what he said; but today when the immediate work in hand in Champaran has been finished, it may truly be said that it was the real work of Swaraj. When Mahatmaji, on his way to Champaran, had visited a village near Muzaffarpur and seen the condition of the people and the children there, he had exclaimed "We can get Swaraj only when we improve the lot of these people!" He had proceeded to Champaran to improve the lot of those people. It was his opinion that his great work required a large number of volunteers and it was desirable to get as many men and women as possible; but every one was not fit for this work. For this kind of service they alone were fit who had accepted Truth, cast out fear and adopted poverty. Mahatmaji accordingly attracted his assistants towards these noble ideals. When we first reached Champaran many of us had servants, we had a cook also. Within a short time the number of servants was reduced and shortly afterwards there

was one servant left. The result was that those who had not in all their lives drawn one potful of water out of a well or washed a small napkin began under the Mahatma's influence within a short time to help each other in bathing, washing clothes and cleaning utensils. In fact we used to do everything ourselves. To sweep the rooms and floor, to clean the kitchen, to wash our own utensils, to carry luggage and other bundles from the station and the market — these and such other things we all used to do and without hesitation. After the removal of the cook Shrimati Gandhi used to cook food for all of us and used to feed us all with motherly affection. It was one of the results of Mahatmaji's visit that we ceased to look upon travelling in a third class compartment as a matter of indignity. His simple nature, Swadeshi dress and great sacrifice wrought a tremendous change in the lives not only of those who had the privilege of working under him, but also many other persons in the province. After his return from South Africa this was the first great work in India to which he had set his hand and through God's grace by achieving success, he was able to show his countrymen a new path which would enable them to attain whatever goal they may have before them.

So ended the great struggle in Champaran. It is difficult to fully and correctly estimate the effect of Mahatma Gandhi's stay in Champaran. The time has not yet come to write the history of his achievements. The seed which he sowed in Champaran, nay in India, has sprouted, but is yet a sapling; it will take time to blossom into flower and bear fruit. But if from the greenness of the sapling any estimate can be formed of the sweetness of the fruit to

be, then it will have to be said, in all gratefulness, that in no distant future new life, new thoughts, new aspirations and a new age are going to dawn. The seed of Indian Swaraj has been truly sown in Champaran and the freedom which the poor, helpless downtrodden tenants of Champaran have secured against the educated, ever vigilent and wealthy planters, living under the protecting wings of the powreful Government, is but a precursor of that larger freedom which Indians, trampled under the heels for centuries, are going to achieve in their struggle for Swaraj. May God hasten that day!

APPENDIX A

THE CHAMPARAN AGRARIAN BILL, 1917

The Hon'ble Mr. Maude moved for leave to introduce the Champaran Agrarian Bill, 1917.

He said : —

" Your Honour,

" I rise to move for leave to introduce into Council a Bill the objects of which have been described in the preamble as firstly, the settlement and determination of certain disputes which have arisen in the district of Champaran between landlords and tenants regarding certain obligations of the said tenants, and, secondly, to establish a system of penalties for the taking of abwab similar to the penalties which, under section 58 of the Bengal Tenancy Act, can be imposed upon a landlord who refuses or neglects to give a legal receipt for rent ; and before I attempt to explain to the Council the nature of the obligations with which the Bill deals, and the method of dealing with them, I would ask for the forbearance of Hon'ble Members while I refer as briefly as possible to some of the more recent stages of the past history of the relations between the indigo-planting community and the cultivators of Tirhut and especially of Champaran.

" The conditions under which indigo has been grown has been repeatedly under the notice of Government for nearly sixty years past commencing from the time when disputes in Lower Bengal led to the appointment of the Indigo Commission, as a result of which indigo rapidly disappeared in Bengal proper. In that enquiry the conditions in Tirhut were more or less a side issue, indeed they were in some ways admitted to be an improvement on the Bengal system, notably in the matter of advances which could not accumulate against a *raiyat* in such a way as to keep him in perpetual debt to the factory ; but it is astonishing how even in those early times the causes of complaint were much the same as have constantly cropped up

since and have but now forced themselves once more upon the Committee whose recent enquiries have led to the framing of this Bill. We find the same complaint that land is cultivated at a loss by the *raiyat*, that there is no gurantee against agreements being taken under compulsion, that the *raiyat* is deprived of the use of his best land, and that factory servants are frequently oppressive and extortionate. These were the causes which led to the Indigo Commission in Bengal in 1860, and we find them repeated in a memorandum by the Commissioner of Tirhut in 1867, when trouble first began to show itself in the Champaran district. Indigo, it was said, required much labour and trouble and led to harassment by the factory servants, and it did not pay as compared with other crops, but the *raiyat* could not keep away from it, partly because he could not resist the undertaking that his rent would not be enhanced so long as he grew indigo, partly because he could not resist the temptation of an advance, and partly because various methods of persuasion were forthcoming to induce him to sign on. That trouble occurred, as I have said, in 1867, and it originated in Lalsaraya factory, the bungalow of which was burnt down, though whether by accident or by arson it is not possible to say. The trouble spread rapidly, but having attracted the attention of the local officers and of Government was settled for the time being on the recommendation of the Commissioner by an enhancement of the rates paid for indigo from rates varying from about Rs. 5 to Rs. 6 per *bigha* to a rate averaging about Rs. 7-15-0 per *bigha* of 6½ cubits *laggi*. The matter was duly reported to the Government of India, and in making the report the Local Government said that the time had passed when it could be hoped to carry on an indigo concern profitably by forcing on the *raiyats* a cultivation and labour which is to them unprofitable; the necessity of giving an adequate remuneration had been recognized by the planters although they had too long refused to recognize the necessity of making such an advance in price, but the managers of concerns now saw clearly the danger which they had so narrowly escaped, and would, in their own interest, be careful to guard against falling into such an error again. Government did not, therefore, wish to take any further steps. The Government of India accepted the Local Government's recommendation, but expressed the significant fear (I am speaking now of events which occurred

no less than fifty years ago) that the evils of the system were so great that the interposition of Government might become unavoidable, unless measures were taken to remove such elements of the system as were unjust and oppressive.

"The increase in the rate per *bigha* paid for indigo appears to have smoothed matters down for a short time, but complaints constantly arose as to the objectionable nature of the whole system of *asamiwar* indigo and as early as 1871 in reviewing the Annual Administration Report of the Commissioner of the Patna Division, the Lieutenant-Governor remarked again on the practice under which *raiyats* are compelled to give up a portion of their land as presenting a compulsory feature contrary to free-trade principles, it being obvious that no person of power and influence equal to that of the planter himself would think as a matter of business of entering into such an agreement. Complaints continued up to 1875, when the Commissioner of Patna suggested an Indigo Commission to enquire into the whole question, but the suggestion was put aside as likely to cause considerable dsiturbance, and on the ground that there was no general manifestation of widespread discontent such as to render a Commission necessary. Government contented itself with a review of the existing law and a warning to Magistrates to administer the law vigorously and impartially.

"In 1877 the position was again reviewed chiefly with reference to the Muzaffarpur district and the then Commissioner, Mr. Stuart Bayley, wrote that although he concurred in Sir Richard Temple's opinion that a Commission was not necessary, yet the fact remained that there was much discontent manifest enough to local officers. Attention was again called to the unfairness of the *asamiwar* system of cultivation and to various other abuses, such as the *thikadari* system under which whole villages were leased from the zamindar, a want of regard to occupancy-rights and the practice of changing good lands for bad which apparently then prevailed in Muzaffarpur. The result was the formation of the Bihar Planters' Association in 1878 by which a set of rules were drawn up, the chief innovation being a further rise in the price per *bigha* paid for indigo, which was now advanced from Rs. 7-15-0 to Rs. 9 in addition to the proportionate rent for the land under indigo.

"Thenceforth for some years the relations between the planters and *raiyats* seem to have improved and all continued smooth on the surface until the year 1908, when the disturbances broke out in Bettiah which eventually led to the enquiry by Mr. Gourlay, a former Sub-divisional Officer of Bettiah. The result of that enquiry was a re-statement of all the old grievances which had figured in all previous enquiries. Mr. Gourlay found that the cultivation of indigo on the *asamiwar* system did not pay the *raiyat*, that the *raiyat* had to give up his best lands for indigo, that the cultivation required labour which could be employed more profitably elsewhere, and generally, that the system was irksome and led to oppression by the factory servants. The main upshot of this report was a further rise in the price of indigo by an average of 12½ per cent, a reduction by the Association of the indigo lands, commonly known as the indigo *lagan*, from 3 *kathas* per *bigha* to 2 *kathas*, and the prohibition of entering into a contract under the *satta* system to grow any crop other than indigo.

"For a time these concessions seemed to have met the needs of the case and things remained quiet. Owing to the competition of synthetic indigo the value of the natural dye had much declined and the necessity of keeping up indigo had declined with the reduction in profits. Certain of the concerns seeing that there was no longer any profit to be made out of indigo and that the agreements by which the *raiyats* were bound to cultivate indigo on three selected *kathas* out of each *bigha* of their holdings were of no use to them, proceeded to levy yearly a certain amount from the *raiyats* as a condition of letting them off the cultivation of indigo. This was known as *hunda* and it had in fact been levied as early as 1905, that is to say, before the Gourlay enquiry. The demand was resisted in some cases, and the matter was consequently reported to the Board of Revenue, and it was held that the levy of *hunda* must cease, though compensation might be taken in cases where the factory still bona fide wanted the indigo contract fulfilled but the *raiyat* wilfully or negligently failed to carry it out.

"The next phase was the initiation of what has now come to be known as *sharahbeshi*. Being precluded from taking yearly *hunda* from the *raiyats* as an equivalent for being let off the cultivation of indigo, the Motihari concern announced

its desire in 1912 to commute the obligation altogether in the *mukarrari* villages taking instead an enhancement, of the rent, which, it was said was exceptionally low, having been exempted from enhancement in consideration of the undertaking or customary obligation to grow indigo. The Manager asked the Board through the local officers whether the legality of such action was admitted, but the Board held that the existence of an obligation to grow indigo as an incidence of the Tenancy, which alone could make any enhancement of over two annas per rupee legal under the Bengal Tenancy Act, was a question of fact as to which they could not express any opinion. Thereafter the practice of commuting the indigo obligation in the form of *sharahbeshi* was regularly adopted both in the Motihari concern and in others of the chief concerns in Champaran.

"So far with regard to *mukarrari* villages. But in the temporarily-leased villages it became expedient to find some other form of commuting the indigo obligation because, when the lease expired, the increase in rent would mainly go to the landlord, i.e., to the Bettiah Raj, and only a small proportion to the lessee or *thikadar*, supposing the lease to be renewed. The result was the taking in the temporarily-leased village of what is now generally known as *tawan* or a lump sum paid by the *raiyat* in perpetual liquidation of the obligation to grow indigo.

"I shall refer to *sharahbeshi* and *tawan* more particularly later on, in connection with the recommendations of the Committee and the provisions of the Bill. I only mention them now as recent phases in the history of indigo cultivation in the district, phases which, it will be remarked, are intimately connected with and in fact the immediaet outcome of the system of *tinkathia* or the compulsory growing of indigo (as the result either of a contract or of an obligation incident to the tenancy) on a fixed proportion but by no means a fixed part, of the *raiyat's* holding.

"The last stage of the history commences from the year 1912-13 when a number of petitions were filed containing various complaints regarding compulsion in the execution of indigo *sattas*, levy of *painkharach* and other abwabs and fines, the forcible taking of ploughs and labour without payment, and so forth. The petitions were sent to the Settlement Officer for

report, the revision settlement having by that time commenced in the district. Subsequently a fresh lot of petitions was received from the northern part of the district where indigo was not grown to any appreciable extent, the complaints being mainly about the levy of abwab and fines. These also were sent for report to the Settlement Officer. The enquiries involved took a considerable time, and the general result was that the first batch of petitions were found to be for the most part groundless, but that serious abuses in the nature of exactions of abwab, which practically doubled the legal rent, were found to be prevalent throughout the north of the district both in the Ramnagar Estate and in the Bettiah Raj villages which were in lease to several *thikadars.* These latter were at once told that the renewal of their leases would be conditional on the entire stoppage of the collection of abwab, and later on steps were taken to obtain control in the Ramnagar Estate by declaring under the Court of Wards Act the lady, in whose possession the estate was, to be incompetent of management and by assuming management.

"This was the state of affairs when Mr. Gandhi was induced to visit the district and the presence and actions of himself and his assistants created a tension which rendered it necessary to appoint the Committee of Enquiry which has recently finished its work and the recommendations of which have resulted in the Bill which I am now laying before the Council. The report of the Committee has been published with Government's Resolution thereon and they are fresh in your memories and I need not summarize them at this point.

"I have gone at what I am afraid is rather wearisome length into the past history of what may be perhaps best described as the indigo difficulty, because it is constantly asserted, and I have myself often heard it said, that there is in reality nothing wrong or rotten in the state of affairs, that everyone concerned is perfectly happy so long as he is left alone, and that it is only when outside influences and agitators come in that any trouble is experienced. I submit that this contention is altogether untenable in the light of the history of the past fifty years of which I have endeavoured to present to the Council a brief sketch. What is it we find on each individual occasion when fresh attention has been, at remarkably short intervals, drawn once more to the conditions of the

production of the indigo plant? We do not find on each occasion that some fresh little matter has gone wrong which can be easily adjusted, but we find on every occasion alike that it is the system itself which is condemned as being inherently wrong and impossible, and we see also repeated time after time the utter futility of bringing the matter to any lasting or satisfactory settlement by the only solutions that have so far been attempted, namely, an enhancement of the price paid for indigo and a reduction of the tenant's burden by reducing the limit of the proportion of his land which he would be required to earmark for indigo cultivation. Repeatedly these expedients have been tried — repeatedly they have failed to effect a lasting solution, partly because they could not be universally enforced but chiefly because no tinkering can set right a system which is in itself inherently rotten and open to abuse. And in this connection I would pay a tribute to the Bihar Planters' Association which has honestly and at all times done its best to put things right and do what appeared to be just and called for. But the Association is not omnipotent — it can only control its own members and it cannot force into its fold those who in order to evade its rules or for other reasons choose to remain outside. Nor have the tools at its command been efficient. As an association of persons whose own interests were involved it could scarcely strike at the real root of the evils and it could therefore only employ temporizing methods which could result in no permanent settlement. Government alone, and that only by legislation, can kill the real root of the disease, and I contend that history for fifty years and more has been building up a case for drastic action by Government and that the findings of the recent Committee, findings which I need not set forth at length because they have merely repeated once more what has been found time after time before, have merely set the keystone on the case for interference.

"Now the root of the evil is the *tinkathia* system under which the *raiyat* is bound either by a contract or as an incident of his tenure to cultivate indigo in a proportion of his land to be selected each year by the factory. It is this obligation which clause 3 of the Bill is intended to abolish once and for all in the Champaran district. The abolition applies not only to cases where the *tinkathia* is dependent on an incident of the tenancy, but also to cases where it is dependent on a mere

civil contract between the factory and the ***raiyat*** and we have heard a good deal in certain papers about the iniquity and illegality of putting a sudden end to contracts which have been already entered into. As to the legal aspect I can only say that I am not aware, and as the Government of India have sanctioned the introduction of this Bill, they also are apparently not aware, of any legal constitutional bar to an enactment being passed which will have the effect of closing down existing contracts, should it be deemed necessary to do so in the pursuit of justice and good administration. Put baldly and without adequate explanation, it certainly sounds an extreme measure to bar existing contracts, however doubtful they might be but the circumstances in this case are peculiar the fact being that in the vast majority of cases the indigo obligation has already been commuted on the initiative of the planters themselves in the shape either of *sharahbeshi* or of ***tawan***, while in cases where it is based on an incident of the tenancy, it will now under clause 4 of the Bill be commuted by way of ***sharahbeshi***. The Biil also provides for the proportionate return of advances where such have been taken and have not been already fully worked off. The iniquity of the termination of the contracts disappears therefore in the light of the compensation which has already been taken in most cases and in other cases will be taken, and the practical effect of the clause will merely be to prevent any revival of the *tinkathia* system in the future, a provision the necessity of which has, as I have already shown been amply demonstrated. It will be observed that the abolition and prohibition of the contracts referred to in this clause of the Bill is not confined to indigo but covers the case of any other kind of crop also. This has been done deliberately because it has been found in some cases that certain concerns, when the growing and manufacturing of indigo became no longer lucrative, attempted to create a liability on the part of their tenants to grow for the Factory some other specified crop in place of indigo, a procedure which of course led to a state of things just as objectionable as it was before when the tenant was only bound to grow indigo.

"I now come to clause 4 (I) (a) of the Bill and I am afraid that I am here beginning to enter upon delicate ground. The clause lays down that where an enhancement of rent has been taken in lieu of the obligation to grow a particular

crop, the enhancement, that is, the additional rent added by the enhancement, shall be reduced by a certain specified proportion, viz., 20 per cent in the case of the Turkaulia concern and 26 per cent in the case of other concerns. This peculiar provision appears to the observer, and in fact is, entirely arbitrary, and some explanation of it is necessary. It was the outcome of pure compromise. The members of the Committee unanimously considered that the enhancements which had been taken by the five concerns, which alone took *sharahbeshi*, were excessive, representing as they did anything from 50 to 75 per cent on the previously existing rental. It was not overlooked that the rents were previously very low and had been allowed to remain so in consideration of the indigo liability, but even when due allowance was made for this, a sudden enhancement of from 50 to 75 per cent was admitted to be excessive; and as there was no exact standard that could be utilized, the amount to be reduced was, after much discussion, fixed by agreement with the principal factories concerned. The delicacy of the situation, to which I have referred, arises from the fact that the manager of one of those principal factories has since thought fit to repudiate the agreement in the public press on the ground that he had been led to believe that the Committee were not going to interfere in any way with the sums which have been taken as *tawan* or lump compensation for the abandonment of the indigo obligation in the temporarily-leased villages of the Bettiah Raj in which *sharahbeshi* could not be, or was not taken. It was not the function of Government to enter into a controversy in the public press, but I take this opportunity of stating emphatically before this Council that Government are in possession of information which fully entitles them to disregard that repudiation as wholly unjustified by the actual facts, and they have accordingly framed this clause of the Bill in accordance with the unanimous recommendation of the Committee and in accordance with the agreement which was entered into with the Committee before they made their recommendation. The solution is, as I have already stated, an arbitrary one, but in the opinion of the Government it is a just and reasonable solution and is, or ought to be, binding upon those who made it.

"I may also impress upon the Council the very important consideration that the agreement about *sharahbeshi* establishes

a large and certain gain to each of the factories concerned as against a possible and almost complete loss should this Bill not be passed into law. The reason of this is that the question of the legality of *sharahbeshi* has never yet been finally adjudicated upon by the law-courts. The test case which is now pending in the High Court is that brought by certain *raiyats* against the Turkaulia concern denying all obligation to grow indigo under *satta* or otherwise. The existence of the obligation to grow indigo as an incident of the tenancy is an issue in that case. The original court gave it in favour of the factory, the first appellate court upset the decision as regards five holdings out of nine. The High Court may of course restore the finding of the Munsiff but on the other hand it may go even further than the first appellate court and hold that in no case was the growing of indigo an incident under proviso (iii) to section 29. Should they do so the factories will stand to lose all *sharahbeshi* whereas under the Bill which is now before the Council they retain it all, less a fair and reasonable reduction. I understand that the planters' representative on the Committee, as also the consenting factories, or at least two of them, were much impressed by this aspect of the case.

" The question of the refund of the *tawan* which has been taken in the temporarily-leased villages is totally separate from the question of reduction of *sharahbeshi* rents and was quite separately dealt with by the Committee. It could not be enforced by legislation and it therefore does not figure in this Bill ; but at the same time, so far as Government are informed, it is not true to allege that the parties to the agreement about *sharahbeshi* were not all cognizant of the Committee's intention as to *tawan*, while as regards the equity of a refund of some portion of the latter, it is only necessary to refer to the figures which Mr. Irwin has himself given in his letter and in his evidence before the Committee. He claims to have levied no less than Rs. 3,20,000 as *tawan*, while in his written statement he says that Rs. 6,60,000 in round figures was collected as rent in the *thika* villages in five years, or an average of some Rs. 1,30,000 per year. He thus mulcted the tenants to the tune of nearly three years rental when his own leases were being renewed from year to year, or looking at it in another way, he levied *tawan* at Rs. 75 on the indigo *lagan bigha*, being equivalent to a levy of 3/20th of that amount or Rs. 11-4-0 on the

jamabandi bigha. His *sharahbeshi* worked out an average of Re. 1-14-0 per *jamabandi bigha*, so that he levied six years' purchase from his *raiyats* for freedom from an obligation which had practically become defunct.

"To return to *sharahbeshi*. If it is equitable to take a reduction by agreement in the case of the three big factories, which contain 95 per cent of *sharahbeshi* rents taken, it is equally just and reasonable to extend the reduction to the two minor concerns which did not enter into the agreement but in which also *sharahbeshi* was taken to an extent not less onerous than in the case of the three principal factories. On the other hand, inasmuch as the compromise in the form of admitting that the taking of compensation in the form of *sharahbeshi* for the loss of the indigo obligation was in a certain degree fair and reasonable, it is enacted in clause 4 (I) (b) of the Bill that where the obligation is entered in the record and is therefore known to exist, but has not been taken, a corresponding enhancement will now be made in the rents. With the exception of the Rajghat factory which is being specially dealt with by a reference to the Government of India, the Committee have not mentioned any case in which no objection to grow indigo was claimed and no *sharahbeshi* or *tawan* taken, but in which *sattas* are still current. It is understood that there are no, or at any rate few, such cases, but should any be found, their position can be considered hereafter when this Bill is being considered in Select Committee. Probably the simplest and most satisfactory way of meeting the difficulty would be to allow the *sattas* in such cases to run for a reasonable term of years before their extinction would come into force, a method which has, I think, been suggested in some of the letters which have recently appeared in the daily press.

"The remaining provisions of the Bill require little notice. Clause 4 (2) provides for the necessary alterations in the record of rights and also prescribes the date from which the adjusted rentals will come into force. This date, namely, the 1st October, 1917, corresponding with the commencement of the Fasli year 1325, formed part of the agreement which was entered into before the Committee of Enquiry.

"Clause 5 is self-explanatory and makes any contract for the supply of land produce at a fixed price invalid if the contract purports to be for a longer period than three years or

if the amount of the produce contracted for is to be determined otherwise than by actual weight or appraisement of weight. The limitation of the term is designed to guard against iniquities which may arise owing to enhancement of values in any considerable period, while the limitation of the methods of determining the produce is intended to prevent the produce of any particular area, the value of which cannot of course be foreseen, from being sold forward at a fixed price.

"Clause 6 has been inserted on account of its having been clearly shown both before the Committee and in previous settlement inquiries, that a variety of abwab have been commonly levied in excess of and in addition to the legal rent and cesses both by *thikadars* and by proprietors, especially in the northern portion of the district. In order to discourage such illegal exactions it is necessary to give the Collector of the district the same power of imposing a penalty after a summary inquiry as is given by section 58 of the Bengal Tenancy Act in cases of withholding proper receipts. A slight addition has been made enabling the Collector to act on his own motion and not merely on complaint or the report of a Civil Court. The *raiyats* of the northern portions of the district are very backward and appear in spite of one previous settlement record to have little or no idea of what their legal liabilities are. A few examples made by the Collector will, it is hoped, have the effect of teaching them the meaning of a legal rent beyond which the landlord must not go.

"I have now finished with the provisions of the Bill, but before I resume my seat I should like, if the Council will grant me their forbearance for one minute longer, to revert to the vexed question of *tawan*. I have already shown that the supposition that its partial refund came as a thunderbolt to the planters is a fallacious supposition. I have also shown, although *tawan* finds no part in this Bill, that the extent to which it was levied was inequitable. But there is yet another contention about this form of commuted obligation, with regard to which I desire to say a few words. It has been claimed in the public press that the levy of *tawan* was approved by Government and definitely sanctioned by Mr. Rainy when he was Collector of Champaran, who is said both in writing and in a certain speech which he delivered at some function or

other to have given the institution of *tawan* his official blessing. I cannot arrive at any trace of the speech referred to, neither have I been able to procure a copy of the letter in which Mr. Rainy is said to have approved of the taking of *tawan* but having been Member of the Board of Revenue at the time I have a very clear recollection of what really took place. As I have already explained, the original form of compensation for remission of the indigo obligation in the *thika* villages was a yearly compensation and it was forbidden by the Board of Revenue except where the *raiyat* had been guilty of deliberate damage or neglect. Subsequently the manager of the Motihari concern hit upon the new expedient of taking compensation in the form not of a yearly fee but of a lump sum down which freed the *raiyat* once and for all from the obligation. He then asked the Collector, Mr. Rainy, if such compensation now known as *tawan*, would be permitted by the authorities. In sending up the case Mr. Rainy said that he would not recommend the prohibition of this form of compensation, as it was a matter between the *raiyat* and the factory, and it was most desirable from all points of view to encourage to the utmost disappearance of the *tinkathia* system, a disappearance which Mr. Irwin himself had admitted 'would be to the great advantage of everybody concerned, official, Raj, planter, and *raiyat*.' The Commissioner supported Mr. Rainy's view, which was referred by the Board of Government, and orders were eventually passed that if this new kind of *tawan* were taken by voluntary agreement Government would not interfere with it; but it must be distinctly understood that it could in no way interfere with the right of the Raj to apply for an enhancement of the rents of the *raiyats* under the Bengal Tenancy Act at the revision settlement when it came on. It will be observed that the alleged approval of the higher authorities was a purely negative statement, and it was accompanied by a warning which was in fact disregarded when *tawan* was taken at the rate at which it was taken, because it became at once clear that when the *raiyat* consented to pay at the rate of Rs. 50 to Rs. 100 per *bigha* of indigo *lagan* he must have been under the impression that he was paying not only for the extinction of one or two year's liability to indigo or even for the extinction of liability coincident with the *satta*, but was also paying at the same time for a permanent exemption from enhancement

of rent. The result has been that the Committee have been compelled to recommend in paragraph II of their report that the Court of Wards should abstain for seven years from taking any enhancement, and Government on behalf of the Court of Wards have been compelled to accept the justness of the recommendation and to order that it shall be carried out. I fail to see how in these circumstances any sane man can maintain that an order for a refund of a substantial proportion of the *tawan* taken is an improper or unjust order.

"We are now discussing only the principles of the Bill. If the motion which I am making is carried I shall then move that the Bill be relegated to a Select Committee in which the details of its provisions will be fully discussed and considered and on which the two Hon'ble Members who are here as representing the Bihar planters will of course find a place.

"I have now, Sir, come to the end of my remarks and I must apologize to the Council for having occupied so much of its time. I claim to have established:—

> First, that as the Committee have put it, the *tinkathia* system has outlived its day and must perforce disappear. Mr. Irwin has himself admitted that the sooner it disappears the better for everybody.
>
> Secondly, that in its disappearance as regulated by this Bill, no injustice has been done to anyone.
>
> Thirdly, that the introduction of the side issue of *tawan* avails nothing so far as this Bill is concerned because it is unconnected with it and irrelevant, but that at the same time it was in no way sprung as a surprise upon the planting community, while as a distinct and separate measure the refund is both just and necessary.

"Government have no desire to strike a blow at the indigo industry, nor indeed, if they had such a desire, could it achieve it through the provisions of this Bill, for the simple reason that if indigo is sound commercially it can be grown and manufactured on open business terms and yet with a good profit. If it is dependent on conditions which are unsound and oppressive the sooner it disappears from off the face of the country, the better it will be. The wish of Government is simply to put an end to conditions in which the *raiyat* cultivator owing to his agrarian relations with the planter is unable to hold his own and can be made, and sometimes is made, to do things which in

his heart of hearts he would never consent to do. Nor, Sir, do Government suffer from any lack of appreciation of the many and great services which the indigo planters of Bihar have constantly rendered to the province in which they live. We cannot perhaps go so far as to admit that some of them magnanimously took up *mokarrari* leases of Bettiah villages with the sole object of paying out of their own pockets the interest on the Sterling Loan, as a recent writer to the daily papers would apparently have people believe, but we can and do give the Bihar planters as a class the fullest credit for having proved themselves good and considerate landlords at all times, and especially in times of flood and famine, as well as for the unswerving loyalty with which they have invariably supported Government and striven to meet their wishes. Nor do we underestimate the value of the capital which the European planter alone has been both able and willing to bring into the districts of Tirhut. But deep as these feelings are they would in no degree avail us as an excuse if we had decided to gloss over serious abuses and leave them untouched, now that their existence has been forced home upon us by recent events and recent enquiries. It is for the removal of some of the most patent of those evils that this Bill has been brought before the Council, and I accordingly ask the Council's leave to introduce it and let it run its course until it eventually, with such modifications as may hereafter seem just and necessary, becomes part of the law of Bihar and Orissa."

APPENDIX B

THE LIST OF VOLUNTEERS FROM THE BOMBAY PRESIDENCY

1.	Dr. Hari Shrikrishna Dev, L. M. S.,	Dhulia
2.	Sjt. Baban Gopal Gokhale	Bombay
3.	„ Mahadev Haribhai Desai	Satyagraha Ashram Ahmedabad
4.	„ Narahari Dwarkadas Parikh	Do.
5.	„ Brajlal Bhimji Rupani	Do.
6.	„ Chhotelal Jain	Do.
7.	„ Devdas Gandhi	Do.
8.	„ Surendraji	Do.
9.	„ Balkrishna Yogeshwar Purohit	Do.
10.	„ Sadashiv Lakshman Soman, B. A., LL. B.,	Belgaum
11.	Narayan Tammaji Katagade alias Pundalikji	Do.
12.	Vishnu Sitaram Randive alias Appaji	Dhulia
13.	Eknath Vasudev Kshire	Do.
14.	Pranlal Prabhuram Yogi	Lilia, Bhavnagar
15.	Shri Shankarrao Dev, B. A.,	Poona

LADY VOLUNTEERS

1.	Shrimati Kasturbai	Wife of Mahatmaji
2.	„ Avantikabai	„ Baban Gokhale
3.	„ Durgabai	„ Mahadev Desai
4.	„ Manibai	„ Narahariji
5.	„ Anandibai	Mahila Ashram, Poona
6.	„ Vinapani Sahu	Wife of Sjt. Laxminarayan Sahu, member of the Servants of India Society

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